



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

**BOARD OF DIRECTORS  
LEGISLATIVE COMMITTEE MEETING**

**COMMITTEE MEMBERS**

**BRAD WAGENKNECHT –  
CHAIRPERSON  
CHRIS DALY  
ERIN GARNER  
LIZ KNISS  
JOHN SILVA**

**PAMELA TORLIATT–VICE CHAIRPERSON  
DAN DUNNIGAN  
SCOTT HAGGERTY  
MARK ROSS**

**WEDNESDAY  
FEBRUARY 23, 2005  
9:30 A.M.**

**FOURTH FLOOR CONFERENCE ROOM  
DISTRICT OFFICES**

**AGENDA**

**1. CALL TO ORDER - ROLL CALL**

**2. PUBLIC COMMENT PERIOD**

*(Public Comment on Non-Agenda Items Pursuant to Government Code § 54954.3) Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Committee's subject matter jurisdiction. Speakers will be limited to five (5) minutes each.*

**3. APPROVAL OF MINUTES OF DECEMBER 21, 2004**

**4. CONSIDERATION OF NEW BILLS AND CORRESPONDING AGENCY POSITIONS**

**J. Broadbent/5052**

**[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)**

*a) SB 44 (Kehoe)—Incorporating air quality into local government general plans*

*b) SB 109 (Ortiz)—Changes to air penalty language*

*c) SB 153 (Chesbro et alia)—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006*

*d) Additional bills introduced after the agenda mail-out*

**5. UPDATE ON DISTRICT'S 2005 LEGISLATIVE AGENDA**

**J. Broadbent/5052**

**[jbroadbent@baaqmd.gov](mailto:jbroadbent@baaqmd.gov)**

*Staff will present an oral update on status of the District's 2005 Legislative Agenda.*

**6. COMMITTEE MEMBERS' COMMENTS**

*Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may; ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

**7. TIME AND PLACE OF NEXT MEETING AT THE CALL OF THE CHAIR**

**8. ADJOURNMENT**

**CONTACT CLERK OF THE BOARDS - 939 ELLIS STREET  
SAN FRANCISCO, CA 94109**

**(415) 749-4965  
FAX: (415) 928-8560  
BAAQMD homepage:  
[www.baaqmd.gov](http://www.baaqmd.gov)**

- To submit written comments on an agenda item in advance of the meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- To request special accommodations for those persons with disabilities (notification to the Clerk's Office should be given at least three working days prior to the date of the meeting so that arrangements can be made accordingly).

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
939 ELLIS STREET  
SAN FRANCISCO, CALIFORNIA 94109  
(415) 771-6000**

**DRAFT MINUTES**

Summary of Board of Directors  
Legislative Committee Meeting  
9:30 a.m., Tuesday, December 21, 2004

- 1. Call to Order - Roll Call:** Chairperson Brad Wagenknecht called the meeting to order at 9:34 a.m.

**Present:** Brad Wagenknecht, Chairperson, Chris Daly, Erin Garner, Erling Horn, Mark Ross, John Silva.

**Absent:** Liz Kniss, Pamela Torliatt.

**Also Present:** Marland Townsend (9:43 a.m.)

- 2. Public Comment Period:** There were none.
- 3. Approval of Minutes of October 13, 2004:** Director Silva moved approval of the minutes; seconded by Director Garner; carried unanimously without objection.
- 4. Potential Legislative Proposals for 2005:** *Staff presented potential legislative measures for consideration by the Committee to form the District's legislative agenda for 2005.*

Thomas Addison, Advanced Projects Advisor, presented and discussed three primary issues for the Committee to consider.

1) A statutory change to the Transportation Fund for Clean Air (TFCA) program that would make private fleets eligible for funding.

Director Townsend arrived at 9:43 a.m.

2) The California Air Pollution Control Officer Association (CAPCOA) will sponsor additional legislation to augment existing funding for incentive-based air quality programs such as the Carl Moyer and Low Emission School Bus programs. The District should be involved in these efforts of cleaning up diesel engines.

3) The District co-sponsor, with the South Coast AQMD, a joint resolution from the California Legislature to Congress on the issue of rail emissions controls.

The Committee discussed several other potential bill topics, including illegally registered “hot rods,” streamlining of the refinery permit process; high occupancy vehicles and toll roads; emissions from ships and cold ironing.

**Committee Action:** The Committee provided direction to staff for follow-up on the items discussed.

5. **Discussion of Future Transportation Sales Tax Measures:** *Staff presented a recommendation for circumstances for which the District should adopt positions on local county transportation sales tax measures.*

Jack Broadbent, Executive Officer/APCO, presented the report to the Committee. The Committee discussed and considered whether to recommend criteria for District endorsement of future local transportation sales tax measures. The consensus of the Committee was to not pursue quantitative evaluation criteria for future transportation ballot measures.

6. **Committee Members’ Comments:** There were none.
7. **Time and Place of Next Meeting:** At the Call of the Chair.
8. **Adjournment:** The meeting was adjourned at 10:27 a.m.

Mary Romaidis  
Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
Inter Office Memorandum

To: Chairperson Brad Wagenknecht and  
Members of the Legislative Committee

From: Thomas Addison  
Advanced Projects Advisor

Date: February 15, 2005

Re: Consideration of New Bills and Corresponding Agency Positions

RECOMMENDED ACTION:

Adopt positions on recently-introduced bills.

DISCUSSION

The bill introduction deadline for 2005 is February 18<sup>th</sup>, and typically several thousand new bills appear in print for the first time immediately prior to this deadline. Staff is recommending that the Committee consider the bills of air quality significance referenced below, which were introduced before the mail-out of the Legislative Committee packet, as well as some measures introduced after that date. Staff will present verbal analyses of these late-breaking bills at the Committee meeting.

Copies of the bills referenced in the table below are attached. Additional bills will be discussed with the Committee at its first meeting subsequent to February 23<sup>rd</sup>. A list of additional bills of potential significance to the Air District will be distributed at the Committee meeting. Staff will briefly discuss some of these bills as well.

<b>Bill</b>	<b>Brief Description</b>	<b>Staff Recommendation</b>
SB 44 (Kehoe)	Extends statewide a San Joaquin Valley requirement that local governments incorporate air quality issues into general plans	Support
SB 109 (Ortiz)	Extends sunset for program on minor air violations, and changes current air penalty language to allow civil and criminal penalties for a single violation	Oppose unless amended
SB 153 (Chesbro <i>et alia</i> )	Establishes California Clean Water, Clean Air, Safe Neighborhood Park, and Coastal Protection Act bond measure	Support

ANALYSIS

**SB 44** is authored by Christine Kehoe (D-San Diego). Essentially this bill would require that local governments consider air quality issues in their general plans. Specifically, it extends statewide a program currently required in the San Joaquin Valley, which was established as a

## AGENDA : 4

result of AB 170 of 2004 authored by Assemblymember Sarah Reyes. The bill argues that California's air quality problems will not be solved without changes to our current development patterns and transportation systems, and that this will take the cooperation of land use, transportation, and air quality agencies, and developers and the public. Within one year of the next adoption of a local government's housing plan update, local governments would have to include goals, policies, and feasible implementation strategies in their general plan to address air quality concerns. These proposed general plan changes would be sent in draft form to the local air district for their non-binding comments. While many regulatory and legislative actions to improve air quality in California are focused on present problems, this bill attempts to address long-term air quality problems that may be exacerbated by development and other land use decisions being made in the short-term.

The District has historically called for cities to adopt air quality elements in their general plans. We have supported similar although more aggressive legislation in the past, and have incorporated this strategy into District planning documents such as Clean Air Plans. A number of Bay Area jurisdictions have already incorporated such elements into their general plans. Thus staff are recommending a support position on SB 44.

**SB 109** is authored by Deborah Ortiz (D-Sacramento), and includes part of her unsuccessful bill of last year, SB 1211. This component of the bill would allow both civil and criminal penalties for a single violation of air quality laws. Currently, air districts offer egregious violations to district attorneys for potential criminal prosecution, but when the violation does not rise to the level of criminal misconduct, air districts can pursue the case civilly. Practically, the vast majority of violations are resolved through the District's mutual settlement program. Staff and Counsel are very concerned that if this bill were to become law, the District's enforcement program would be severely hamstrung. We believe that many violators would refuse to settle civil cases until they had definitive assurance from the relevant district attorney that they would not be facing additional criminal charges.

Last year, the author (with support from the California District Attorneys Association) argued that current law was preventing district attorneys from bringing criminal charges when appropriate. Unfortunately, the only instance they could point to was a case at Beverly Hills High School in southern California where the air district had initially offered the case to the Los Angeles District Attorney to take criminal action, but the offer had been declined. After the air district resolved the case, and after some press discussion of the case, the district attorney had a change of heart and declared an interest in pursuing the case criminally. Because the case had already been resolved civilly, statutorily the criminal option was then foreclosed. The facts of the case suggested to many that it was not a good illustration why the law needed to be changed. Indeed, some even suggested that it highlighted a danger if the Ortiz bill were to become law—district attorneys are to some extent political (since they are elected), and their decisions may be influenced by political or media pressures rather than a thorough understanding of air quality and sound enforcement policy. The author's staff this year have again failed to provide a single compelling case where current law caused a legitimate problem. Instead, the rationale for why the bill is needed is theoretical at best.

This year, Senator Ortiz has included a new component in the bill, which has been designed to appeal to both industry and air districts. Currently, state law requires air districts to establish programs to address truly minor non-substantive violations in an administrative fashion. This requirement is due to sunset at the start of 2006. Both air districts and industry concur that the "notice to comply" requirements are actually beneficial, and let both sides focus attention on substantive issues rather than wasting time and resources on trivial issues. SB 109 would extend this sunset until 2012. However, even in the absence of specific statutory provisions regarding notices to comply, the District could implement a similar program.

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District staff is recommending an “oppose unless amended” position on this bill. While staff support extending the “notice-to-comply” sunset, the primary portion of the bill jeopardizes our enforcement program, and thus should be dropped from the measure.

**SB 153** is being authored by Senators Chesbro, Kehoe, Kuehl, Perata, Simitian, and Torlakson. It is a \$3 billion bond measure that is being called the California Clean Water, Clean Air, Safe Neighborhood Park, and Coastal Protection Act of 2006. Because it would direct \$50 million into the Carl Moyer program to cut emissions from heavy-duty engines, staff are recommending a support position on the measure.

BUDGET CONSIDERATION/FINANCIAL IMPACT

No direct impact.

Respectfully submitted,

Thomas Addison  
Advanced Projects Advisor

FORWARDED: \_\_\_\_\_

Reviewed by: Jean Roggenkamp

**Introduced by Senator Kehoe**January 4, 2005

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An act to amend Section 65302.1 of the Government Code, relating to general plans.

## LEGISLATIVE COUNSEL'S DIGEST

SB 44, as introduced, Kehoe. General plans: air quality element.

Existing law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries that bears relation to its planning. The law requires the plan to include a specified land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, and other categories of public and private uses of land. Existing law specifically requires the legislative body of each city and county within the jurisdictional boundaries of the San Joaquin Valley Air Pollution Control District to amend appropriate elements of its general plan to include specified information to improve air quality.

This bill would make legislative findings and declarations regarding air pollution problems in this state. The bill additionally would require the legislative body of each city and county, other than those in the San Joaquin Valley Air Pollution Control District, to amend the appropriate elements of its general plan to include data and analysis, comprehensive goals, policies, and feasible implementation strategies to improve air quality no later than one year from the date specified for the next revision of its housing element.

The bill would also require each city and county, at least 45 days prior to the adoption of air quality amendments to a general plan, to send a copy of the draft document to the air quality management



district or air pollution control district in which it is located for review and comment, as specified. By increasing the duties of local public officials, this bill would impose a state-mandated local program.

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 65302.1 of the Government Code is  
2 amended to read:

3 65302.1. (a) The Legislature finds and declares all of the  
4 following:

5 (1) ~~The San Joaquin Valley California~~ has a serious air  
6 pollution problem that will take the cooperation of land use and  
7 transportation planning agencies, transit operators, the  
8 development community, ~~the San Joaquin Valley Air Pollution~~  
9 ~~Control District~~ *air quality management districts, air pollution*  
10 *control districts*, and the public to solve.

11 ~~The~~  
12 (2) *The* solution to the problem requires changes in the way  
13 we have traditionally built our communities and constructed the  
14 transportation systems. It involves a fundamental shift in  
15 priorities from emphasis on mobility for the occupants of private  
16 automobiles to a multimodal system that more efficiently uses  
17 scarce resources. It requires a change in attitude from the public  
18 to support development patterns and transportation systems  
19 different from the status quo.

20 ~~(2) In 2003 the district published a document entitled, Air~~  
21 ~~Quality Guidelines for General Plans. This report is a~~  
22 ~~comprehensive guidance document and resource for cities and~~  
23 ~~counties to use to include air quality in their general plans. It~~  
24 ~~includes goals, policies, and programs that when adopted in a~~  
25 ~~general plan will reduce vehicle trips and miles traveled and~~  
26 ~~improve air quality.~~

- 1 (3) Air quality guidelines are recommended strategies that do,  
2 when it is feasible, all of the following:
- 3 (A) Determine and mitigate project level and cumulative air  
4 quality impacts under the California Environmental Quality Act  
5 (CEQA) (Division 13 (commencing with Section 21000) of the  
6 Public Resources Code).
  - 7 (B) Integrate land use plans, transportation plans, and air  
8 quality plans.
  - 9 (C) Plan land uses in ways that support a multimodal  
10 transportation system.
  - 11 (D) Local action to support programs that reduce congestion  
12 and vehicle trips.
  - 13 (E) Plan land uses to minimize exposure to toxic air pollutant  
14 emissions from industrial and other sources.
  - 15 (F) Reduce particulate matter emissions from sources under  
16 local jurisdiction.
  - 17 (G) Support district and public utility programs to reduce  
18 emissions from energy consumption and area sources.
- 19 (4) The benefits of including air quality concerns within local  
20 general plans include, but are not limited to, all of the following:
- 21 (A) Lower infrastructure costs.
  - 22 (B) Lower public service costs.
  - 23 (C) More efficient transit service.
  - 24 (D) Lower costs for comprehensive planning.
  - 25 (E) Streamlining of the permit process.
  - 26 (F) Improved mobility for the elderly and children.
- 27 (b) The legislative body of each city and county ~~within the~~  
28 ~~jurisdictional boundaries of the district~~ shall amend the  
29 appropriate elements of its general plan, which may include, but  
30 are not limited to, the required elements dealing with land use,  
31 circulation, housing, conservation, and open space, to include  
32 data and analysis, goals, policies, and objectives, and feasible  
33 implementation strategies to improve air quality.
- 34 (c) The adoption of air quality amendments to a general plan  
35 to comply with the requirements of subdivision (d) shall include  
36 all of the following:
- 37 (1) A report describing local air quality conditions including  
38 air quality monitoring data, emission inventories, lists of  
39 significant source categories, attainment status and designations,

1 and applicable state and federal air quality plans and  
2 transportation plans.

3 (2) A summary of local, district, state, and federal policies,  
4 programs, and regulations that may improve air quality in the city  
5 or county.

6 (3) A comprehensive set of goals, policies, and objectives that  
7 may improve air quality consistent with the strategies listed in  
8 paragraph (3) of subdivision (a).

9 (4) A set of feasible implementation measures designed to  
10 carry out those goals, policies, and objectives.

11 (d) At least 45 days prior to the adoption of air quality  
12 amendments to a general plan pursuant to this section, each city  
13 and county shall send a copy of its draft document to the *air*  
14 *quality management district or air pollution control district in*  
15 *which the city or county is located*. The district may review the  
16 draft amendments to determine whether they may improve air  
17 quality consistent with the strategies listed in paragraph (3) of  
18 subdivision (a). Within 30 days of receiving the draft  
19 amendments, the district shall send any comments and advice to  
20 the city or county. The legislative body of the city or county shall  
21 consider the district's comments and advice prior to the final  
22 adoption of air quality amendments to the general plan. If the  
23 district's comments and advice are not available by the time  
24 scheduled for the final adoption of air quality amendments to the  
25 general plan, the legislative body of the city or county may act  
26 without them. The district's comments shall be advisory to the  
27 city or county.

28 (e) (1) The legislative body of each city and county within the  
29 jurisdictional boundaries of the ~~district~~ *San Joaquin Valley Air*  
30 *Pollution Control District* shall comply with this section no later  
31 than one year from the date specified in Section 65588 for the  
32 next revision of its housing element that occurs after January 1,  
33 2004.

34 ~~(f) As used in this section, "district" means the San Joaquin~~  
35 ~~Valley Air Pollution Control District.~~

36 (2) *The legislative bodies of all other cities and counties shall*  
37 *comply with this section no later than one year from the date*  
38 *specified in Section 65588 for the next revision of its housing*  
39 *element that occurs after January 1, 2006.*

1 SEC. 2. The Legislature finds and declares that Sections  
2 65104 and 66014 of the Government Code provide local agencies  
3 with authority to levy fees sufficient to pay for the program or  
4 level of service mandated by this act.

5 SEC. 3. No reimbursement is required by this act pursuant to  
6 Section 6 of Article XIII B of the California Constitution because  
7 a local agency or school district has the authority to levy service  
8 charges, fees, or assessments sufficient to pay for the program or  
9 level of service mandated by this act, within the meaning of  
10 Section 17556 of the Government Code.

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**Introduced by Senator Ortiz**January 20, 2005

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An act to amend Section 39153 of, and to repeal Section 42400.7 of, the Health and Safety Code, relating to air pollution.

## LEGISLATIVE COUNSEL'S DIGEST

SB 109, as introduced, Ortiz. Air pollution: minor violations: stationary sources: prosecution of violations.

(1) Existing law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources, subject to the powers and duties of the State Air Resources Board. Existing law subjects any person that violates any rule, regulation, permit, or order of the state board or a district pertaining to emissions of air contaminants or toxic air contaminants to fines, imprisonment, and civil penalties. Existing law, until January 1, 2006, requires the state board and each district to adopt a regulation or a rule that classifies certain violations as minor. Existing law provides that the recovery of a civil penalty for an air quality violation precludes criminal prosecution. Existing law also provides that the filing of a criminal complaint requires the dismissal of any civil action for the same offense, but exempts from that requirement any portion of a civil action requesting injunctive relief.

This bill would extend that minor violation classification requirement until January 1, 2012. The bill would repeal the provision precluding criminal prosecution following the recovery of civil penalties for the same offense, and would repeal the requirement that a civil action be dismissed upon the filing of a criminal complaint for the same offense. To the extent that this bill would increase the

number of criminal or civil cases that would be prosecuted, it would impose a state-mandated local program.

(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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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 39153 of the Health and Safety Code is  
2 amended to read:

3 39153. This chapter shall remain in effect only until January  
4 1, ~~2006~~ 2012, and as of that date is repealed, unless a later  
5 enacted statute, that is enacted on or before January 1, ~~2006~~  
6 2012, deletes or extends that date.

7 SEC. 2. Section 42400.7 of the Health and Safety Code is  
8 repealed.

9 ~~42400.7. (a) The recovery of civil penalties pursuant to~~  
10 ~~Section 39674, 42401, 42402, 42402.1, 42402.2, 42402.3, or~~  
11 ~~42402.4 precludes prosecution under Section 42400, 42400.1,~~  
12 ~~42400.2, 42400.3, 42400.3.5, or 42400.4 for the same offense.~~  
13 ~~When a district refers a violation to a prosecuting agency, the~~  
14 ~~filing of a criminal complaint is grounds requiring the dismissal~~  
15 ~~of any civil action brought pursuant to this article for the same~~  
16 ~~offense.~~

17 ~~(b) If the pending civil action described in subdivision (a)~~  
18 ~~includes a request for injunctive relief, that portion of the civil~~  
19 ~~action shall not be dismissed upon the filing of a criminal~~  
20 ~~complaint for the same offense.~~

21 SEC. 3. No reimbursement is required by this act pursuant to  
22 Section 6 of Article XIII B of the California Constitution for  
23 certain costs that may be incurred by a local agency or school

1 district because, in that regard, this act creates a new crime or  
2 infraction, eliminates a crime or infraction, or changes the  
3 penalty for a crime or infraction, within the meaning of Section  
4 17556 of the Government Code, or changes the definition of a  
5 crime within the meaning of Section 6 of Article XIII B of the  
6 California Constitution.

7 However, if the Commission on State Mandates determines  
8 that this act contains other costs mandated by the state,  
9 reimbursement to local agencies and school districts for those  
10 costs shall be made pursuant to Part 7 (commencing with Section  
11 17500) of Division 4 of Title 2 of the Government Code.

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**Introduced by Senators Chesbro, Kehoe, Kuehl, Perata, Simitian,  
and Torlakson**

(Coauthors: Assembly Members Berg, Bermudez, Evans, Klehs,  
Koretz, Leno, Nation, and Nava)

February 8, 2005

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An act to add Chapter 1.698 (commencing with Section 5096.700) to Division 5 of the Public Resources Code, relating to financing a program for the acquisition, development, and preservation of park, recreational, water, coastal, agricultural land, air, cultural, and historical resources in the state, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 153, as introduced, Chesbro. California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006.

Under existing law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities.

This bill would enact the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006, which, if adopted, would authorize, for the purpose of financing a program for the acquisition, development, and preservation of park, recreational, water, coastal, agricultural land, air, cultural, and historical resources, as specified, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$3,000,000,000.

Vote:  $\frac{2}{3}$ . 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 1.698 (commencing with Section  
2 5096.700) is added to Division 5 of the Public Resources Code,  
3 to read:

4  
5 CHAPTER 1.698. THE CALIFORNIA CLEAN WATER, CLEAN AIR,  
6 SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF  
7 2006

8  
9 Article 1. General Provisions

10  
11 5096.700. This chapter shall be known, and may be cited, as  
12 the California Clean Water, Clean Air, Safe Neighborhood Parks,  
13 and Coastal Protection Act of 2006.

14 5096.701. (a) The Legislature finds and declares all of the  
15 following:

16 (1) Maintaining a high quality of life for California’s growing  
17 population requires a continuing investment in parks, recreation  
18 facilities, and in the protection of the state’s natural and historical  
19 resources.

20 (2) Clean air, clean water, clean beaches, and healthy natural  
21 ecosystems that can support both human communities and the  
22 state’s native fish and wildlife are all part of the legacy of  
23 California. Each generation has an obligation to be good  
24 stewards of these resources in order to pass them on to their  
25 children.

26 (b) The Legislature hereby recognizes that public financial  
27 resources are inadequate to meet all of the funding needs of local  
28 public park and recreation providers and that there is an urgent  
29 need for safe, open, and accessible local park and recreational  
30 facilities and for increased recreational opportunities that provide  
31 positive alternatives to social problems. Accordingly, it is  
32 declared to be the policy of this state that the funds allocated  
33 pursuant to Section 5096.720 to local agencies shall be  
34 appropriated primarily for projects that accomplish all of the  
35 following:

36 (1) Rehabilitate facilities at existing local parks that will  
37 provide for more efficient management and reduced operational  
38 costs.

1 (2) Develop facilities that promote positive alternatives for  
2 youth and that promote cooperation between local park and  
3 recreation service providers and youth-serving nonprofit  
4 organizations.

5 (3) Promote family oriented recreation, including art activities.

6 (4) Provide for open, safe, and accessible local parklands,  
7 facilities, and botanical gardens.

8 (5) Develop and enhance nonmotorized trails to promote  
9 passive and active recreational enjoyment including wildlife and  
10 scenic viewing opportunities.

11 5096.705. As used in this chapter, the following terms have  
12 the following meanings:

13 (a) “Acquisition” means obtaining the fee title or a lesser  
14 interest in real property, including specifically, a conservation  
15 easement or development rights.

16 (b) “Committee” means the California Clean Water, Clean  
17 Air, Safe Neighborhood Parks, and Coastal Protection Act of  
18 2006 Finance Committee created pursuant to Section 5096.767.

19 (c) “Department” means the Department of Parks and  
20 Recreation.

21 (d) “Development” includes, but is not limited to,  
22 improvement, rehabilitation, restoration, enhancement,  
23 preservation, protection, and interpretation.

24 (e) “Director” means the Director of Parks and Recreation.

25 (f) “District” means a regional park district, regional park and  
26 open-space district, or regional open-space district formed  
27 pursuant to Article 3 (commencing with Section 5500) of  
28 Chapter 3, a recreation and park district formed pursuant to  
29 Chapter 4 (commencing with Section 5780), or an authority  
30 formed pursuant to Division 26 (commencing with Section  
31 35100). With respect to a community or unincorporated region  
32 that is not included within a district, and in which no city or  
33 county provides parks or recreational areas or facilities, “district”  
34 also means any other district that is authorized by statute to  
35 operate and manage parks or recreational areas or facilities,  
36 employs a full-time park and recreation director, offers  
37 year-round park and recreation services on lands and facilities  
38 owned by the district, and allocates a substantial portion of its  
39 annual operating budget to parks or recreation areas or facilities.

1 (g) “Fund” means the California Clean Water, Clean Air, Safe  
2 Neighborhood Parks, and Coastal Protection Fund of 2006  
3 created pursuant to Section 5096.710.

4 (h) “Local conservation corps” means a program operated by a  
5 public agency or nonprofit organization that meets the  
6 requirements of Section 14406.

7 (i) “Nonprofit organization” means any nonprofit public  
8 benefit corporation formed pursuant to the Nonprofit Corporation  
9 Law (Division 2 (commencing with Section 5000) of Title 1 of  
10 the Corporations Code), qualified to do business in California,  
11 and qualified under Section 501(c)(3) of the Internal Revenue  
12 Code.

13 (j) “Preservation” means identification, evaluation,  
14 recordation, documentation, interpretation, protection,  
15 rehabilitation, restoration, stabilization, development, and  
16 reconstruction, or any combination of those activities.

17 (k) “Secretary” means the Secretary of the Resources Agency.  
18 5096.706. Lands or interests in land acquired with funds  
19 allocated pursuant to this chapter shall be acquired from a willing  
20 seller.

21

22 Article 2. The California Clean Water, Clean Air, Safe  
23 Neighborhood Parks, and Coastal Protection Act of 2006

24

25 5096.710. The proceeds of bonds issued and sold pursuant to  
26 this chapter shall be deposited in the California Clean Water,  
27 Clean Air, Safe Neighborhood Parks, and Coastal Protection  
28 Fund of 2006, which is hereby created. Except as provided in  
29 subdivision (a) of Section 5096.750, the money in the fund shall  
30 be available for appropriation by the Legislature, in the manner  
31 set forth in this chapter, for acquisition, development, and  
32 preservation projects, in accordance with the following schedule:

33 (a) The sum of two hundred fifty million dollars  
34 (\$250,000,000) for acquisition and development of the state park  
35 system.

36 (b) The sum of one billion one hundred million dollars  
37 (\$1,100,000,000) for local assistance programs for the  
38 acquisition and development of neighborhood, community, and  
39 regional parks and recreation areas.

1 (c) The sum of one billion five hundred fifteen million dollars  
2 (\$1,515,000,000) for land, air, and water conservation programs,  
3 including acquisition for those purposes.

4 (d) The sum of one hundred thirty-five million dollars  
5 (\$135,000,000) for the acquisition and preservation of  
6 California’s historical and cultural resources.

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Article 3. State Parks

10 5096.715. The two hundred fifty million dollars  
11 (\$250,000,000) allocated pursuant to subdivision (a) of Section  
12 5096.710 shall be available for appropriation by the Legislature  
13 to the department for the acquisition and development of the state  
14 park system. It is the intent of the Legislature that first priority  
15 for funding shall be for development projects to complete and  
16 expand visitor facilities and for restoration projects. Not more  
17 than 50 percent of the funds provided by this section may be used  
18 for acquisition.

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Article 4. Local Assistance Programs

22 5096.720. The one billion one hundred million dollars  
23 (\$1,100,000,000) allocated pursuant to subdivision (b) of Section  
24 5096.710 shall be available for appropriation by the Legislature  
25 for local assistance programs, in accordance with the following  
26 schedule:

27 (a) The sum of three hundred seventy-five million dollars  
28 (\$375,000,000) to the department for grants, in accordance with  
29 Section 5096.721, and on the basis of population, for the  
30 acquisition and development of neighborhood, community, and  
31 regional parks and recreation lands and facilities in urban and  
32 rural areas.

33 (b) The sum of two hundred fifty million dollars  
34 (\$250,000,000) to the department for grants, in accordance with  
35 the Roberti-Z’berg-Harris Urban Open-Space and Recreation  
36 Program Act (Chapter 3.2 (commencing with Section 5620)). No  
37 less than fifty million dollars (\$50,000,000) of funds  
38 appropriated pursuant to this subdivision shall be available  
39 pursuant to Section \_\_\_\_.

1 (c) The sum of three hundred twenty-five million dollars  
2 (\$325,000,000) to the department for grants for urban and special  
3 need park and recreation programs in accordance with the  
4 following schedule:

- 5
- 6 (1) For the Urban Park Act of 2001 (Chapter 3  
7 (commencing with Section 5640))..... \$100,000,000
- 8 (2) For expenditure consistent with the requirements  
9 of Section 5096.348..... \$100,000,000
- 10 (3) For the California Youth Soccer and Recreation  
11 Development Program created pursuant to  
12 Section 5004.5..... \$ 75,000,000
- 13 (4) For the State Urban Parks and Healthy  
14 Communities Act (Chapter 1.55 (commencing  
15 with Section 5095))..... \$ 50,000,000
- 16

17 (d) The sum of fifty million dollars (\$50,000,000) to the  
18 department for grants, in accordance with Section \_\_\_\_, for the  
19 development, improvement, rehabilitation, restoration,  
20 enhancement, and interpretation of nonmotorized trails for the  
21 purpose of increasing public access to, and enjoyment of, public  
22 areas for increased recreational opportunities.

23 (e) The sum of one hundred million dollars (\$100,000,000) to  
24 the department for grants to local agencies for the development  
25 and rehabilitation of senior centers.

26 5096.721. (a) Sixty percent of the total funds available for  
27 grants pursuant to subdivision (a) of Section 5096.720 shall be  
28 allocated to cities and to districts other than a regional park  
29 district, regional park and open-space district, or regional  
30 open-space district. Each city’s and district’s allocation shall be  
31 in the same ratio as the city’s or district’s population is to the  
32 combined total of the state’s population that is included in  
33 incorporated areas and unincorporated areas within the district,  
34 except that each city or district shall be entitled to a minimum  
35 allocation of two hundred thousand dollars (\$200,000). In any  
36 instance in which the boundary of a city overlaps the boundary of  
37 such a district, the population in the area of overlapping  
38 jurisdiction shall be attributed to each jurisdiction in proportion  
39 to the extent to which each operates and manages parks and  
40 recreational areas and facilities for that population. In any

1 instance in which the boundary of a city overlaps the boundary of  
2 such a district, and in the area of overlap the city does not operate  
3 and manage parks and recreational areas and facilities, all grant  
4 funds shall be allocated to the district.

5 (b) Each city and each district subject to subdivision (a) whose  
6 boundaries overlap shall develop a specific plan for allocating the  
7 grant funds in accordance with the formula specified in  
8 subdivision (a). If, by \_\_\_\_\_, the plan has not been agreed to  
9 by the city and district and submitted to the department, the  
10 director shall determine the allocation of the grant funds among  
11 the affected jurisdictions.

12 (c) Forty percent of the total funds available for grants  
13 pursuant to subdivision (a) of Section 5096.720 shall be allocated  
14 to counties and regional park districts, regional park and  
15 open-space districts, or regional open-space districts formed  
16 pursuant to Article 3 (commencing with Section 5500) of  
17 Chapter 3.

18 (d) Each county's allocation under subdivision (c) shall be in  
19 the same ratio as the county's population, except that each county  
20 shall be entitled to a minimum allocation of five hundred  
21 thousand dollars (\$500,000).

22 (e) In a county that embraces all or part of the territory of a  
23 regional park district, regional park and open-space district, or  
24 regional open-space district, whose board of directors is not the  
25 county board of supervisors, the amount allocated to the county  
26 shall be apportioned between that district and the county in  
27 proportion to the population of the county that is included within  
28 the territory of the district and the population of the county that is  
29 outside the territory of the district.

30 (f) For the purpose of making the calculations required by this  
31 section, population shall be determined by the department, in  
32 cooperation with the Department of Finance, on the basis of the  
33 most recent verifiable census data and other verifiable population  
34 data that the department may require to be furnished by the  
35 applicant city, county, or district.

36 5096.724. (a) The director shall prepare and adopt criteria  
37 and procedures for evaluating applications for grants allocated  
38 pursuant to subdivisions (a) to (e), inclusive, of Section  
39 5096.720. Individual applications for funds shall be submitted to  
40 the department for approval as to their conformity with the

1 requirements of this chapter. The application shall be  
2 accompanied by certification that the project for which the grant  
3 is requested is consistent with the park and recreation element of  
4 the applicable city or county general plan or the district park and  
5 recreation plan, as the case may be, and will satisfy a high  
6 priority need.

7 (b) To utilize available grant funds as effectively as possible,  
8 overlapping or adjoining jurisdictions and applicants with similar  
9 objectives are encouraged to combine projects and submit a joint  
10 application. An applicant may allocate all or a portion of its per  
11 capita share for a regional or state project.

12 (c) The director shall annually forward a statement of the total  
13 amount to be appropriated in each fiscal year for projects  
14 approved for grants pursuant to this article to the Director of  
15 Finance for inclusion in the annual Budget Bill. A list of eligible  
16 jurisdictions and the amount of grant funds to be allocated to  
17 each shall also be made available by the department.

18 (d) Funds appropriated pursuant to this article shall be  
19 encumbered by the recipient within three years from the date the  
20 appropriation is effective. Regardless of the date of encumbrance  
21 of the granted funds, the recipient is expected to complete all  
22 funded projects within eight years of the effective date of the  
23 appropriation.

24 5096.733. Any grant funds appropriated pursuant to this  
25 article that have not been expended by the grant recipient prior to  
26 July 1, 2014, shall revert to the fund and be available for  
27 appropriation by the Legislature for one or more of the local  
28 assistance programs specified in Section 5096.720 that the  
29 Legislature determines to be the highest priority statewide.

30

31 Article 5. Land, Air, and Water Conservation

32

33 5096.750. The one billion five hundred fifteen million dollars  
34 (\$1,515,000,000) allocated pursuant to subdivision (c) of Section  
35 5096.710 shall be available for the acquisition and development  
36 of land, air, and water resources in accordance with the following  
37 schedule:

38 (a) Notwithstanding Section 13340 of the Government Code,  
39 the sum of three hundred million dollars (\$300,000,000) is  
40 continuously appropriated to the Wildlife Conservation Board for

1 the acquisition, development, rehabilitation, restoration, and  
2 protection of habitat that promotes the recovery of threatened and  
3 endangered species, that provides corridors linking separate  
4 habitat areas to prevent habitat fragmentation, and that protects  
5 significant natural landscapes and ecosystems such as old growth  
6 redwoods and oak woodlands and other significant habitat areas;  
7 and for grants and related state administrative costs pursuant to  
8 the Wildlife Conservation Law of 1947 (Chapter 4 (commencing  
9 with Section 1300) of Division 2 of the Fish and Game Code).  
10 Funds scheduled in this subdivision may be used to prepare  
11 management plans for properties acquired in fee by the Wildlife  
12 Conservation Board.

13 (b) The sum of four hundred forty-five million dollars  
14 (\$445,000,000) to the conservancies in accordance with the  
15 particular provisions of the statute creating each conservancy for  
16 the acquisition, development, rehabilitation, restoration, and  
17 protection of land and water resources; and for grants and state  
18 administrative costs.

19 (c) The sum of three hundred seventy-five million dollars  
20 (\$375,000,000) shall be available for grants to public agencies  
21 and nonprofit organizations for acquisition, development,  
22 restoration, and associated planning, permitting, and  
23 administrative costs for the protection and restoration of water  
24 resources in accordance with the following schedule:

25 (1) The sum of seventy-five million dollars (\$75,000,000) to  
26 the secretary for the acquisition and development of river  
27 parkways and for protecting urban streams. The secretary shall  
28 make funds available in accordance with Sections 7048 and  
29 78682.2 of the Water Code, and pursuant to any other applicable  
30 statutory authorization.

31 (2) The sum of three hundred million dollars (\$300,000,000)  
32 shall be available for the purposes of clean beaches, watershed  
33 protection, and water quality projects to protect beaches, coastal  
34 waters, rivers, lakes, and streams from contaminants, pollution,  
35 and other environmental threats.

36 (d) The sum of fifty million dollars (\$50,000,000) to the State  
37 Air Resources Board for grants to air districts pursuant to  
38 Chapter 9 (commencing with Section 44275) of Part 5 of  
39 Division 26 of the Health and Safety Code for projects that  
40 reduce air pollution that affects air quality in state and local park



1 and recreation areas. Eligible projects shall meet the  
2 requirements of Section 16727 of the Government Code and shall  
3 be consistent with Section 43023.5 of the Health and Safety  
4 Code. Each district shall be eligible for grants of not less than  
5 two hundred thousand dollars (\$200,000). Not more than 5  
6 percent of the funds allocated to a district may be used to cover  
7 the costs associated with implementing the grant program.

8 (e) The sum of twenty million dollars (\$20,000,000) to the  
9 California Conservation Corps for the acquisition, development,  
10 restoration, and rehabilitation of land and water resources, and  
11 for grants and state administrative costs, in accordance with the  
12 following schedule:

13 (1) The sum of five million dollars (\$5,000,000) shall be  
14 available for resource conservation activities.

15 (2) The sum of fifteen million dollars (\$15,000,000) shall be  
16 available for grants to local conservation corps for acquisition  
17 and development of facilities to support local corps programs,  
18 and for local resource conservation activities.

19 (f) The sum of seventy-five million dollars (\$75,000,000) shall  
20 be available for grants for the preservation of agricultural lands  
21 and grazing lands, including oak woodlands and grasslands.

22 (g) The sum of two hundred fifty million dollars  
23 (\$250,000,000) to the Department of Forestry and Fire Protection  
24 for grants for forest land protection pursuant to the California  
25 Forest Legacy Program Act of 2000 (Division 10.5 (commencing  
26 with Section 12200)).

27

28 Article 6. Historical and Cultural Resources Preservation

29

30 5096.752. (a) The one hundred thirty-five million dollars  
31 (\$135,000,000) allocated pursuant to subdivision (d) of Section  
32 5096.710 shall be available for appropriation by the Legislature  
33 for the acquisition and preservation of buildings, structures, sites,  
34 places, and artifacts that preserve and demonstrate culturally  
35 significant aspects of California’s history and for grants for these  
36 purposes.

Article 7. Fiscal Provisions

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5096.765. Bonds in the total amount of three billion dollars (\$3,000,000,000), not including the amount of any refunding bonds issued in accordance with Section 5096.777, or so much thereof as is necessary, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to be used to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of the principal of, and interest on, the bonds as the principal and interest become due and payable.

5096.766. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter and are hereby incorporated in this chapter by this reference as though set forth in full in this chapter.

5096.767. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law, of the bonds authorized by this chapter, the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006 Finance Committee is hereby created. For purposes of this chapter, the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006 Finance Committee is “the committee” as that term is used in the State General Obligation Bond Law. The committee consists of the Controller, the Director of Finance, and the Treasurer, or their designated representatives. The Treasurer shall serve as chairperson of the committee. A majority of the committee may act for the committee.

(b) For purposes of the State General Obligation Bond Law, the Secretary of the Resources Agency is designated the “board.”

5096.768. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized pursuant to this chapter to carry out Section 5096.710 and, if so, the amount of

1 bonds to be issued and sold. Successive issues of bonds may be  
2 authorized and sold to carry out those actions progressively, and  
3 it is not necessary that all of the bonds authorized to be issued be  
4 sold at any one time.

5 5096.770. There shall be collected each year and in the same  
6 manner and at the same time as other state revenue is collected,  
7 in addition to the ordinary revenues of the state, a sum in an  
8 amount required to pay the principal of, and interest on, the  
9 bonds each year. It is the duty of all officers charged by law with  
10 any duty in regard to the collection of the revenue to do and  
11 perform each and every act that is necessary to collect that  
12 additional sum.

13 5096.771. Notwithstanding Section 13340 of the Government  
14 Code, there is hereby appropriated from the General Fund in the  
15 State Treasury, for the purposes of this chapter, an amount that  
16 will equal the total of the following:

17 (a) The sum annually necessary to pay the principal of, and  
18 interest on, bonds issued and sold pursuant to this chapter, as the  
19 principal and interest become due and payable.

20 (b) The sum necessary to carry out Section 5096.772,  
21 appropriated without regard to fiscal years.

22 5096.772. For purposes of carrying out this chapter, the  
23 Director of Finance may authorize the withdrawal from the  
24 General Fund of an amount not to exceed the amount of the  
25 unsold bonds that have been authorized by the committee to be  
26 sold for the purpose of carrying out this chapter. Any amount  
27 withdrawn shall be deposited in the fund. Any money made  
28 available under this section shall be returned to the General Fund  
29 from proceeds received from the sale of bonds for the purpose of  
30 carrying out this chapter.

31 5096.773. Pursuant to Chapter 4 (commencing with Section  
32 16720) of Part 3 of Division 4 of Title 2 of the Government  
33 Code, the cost of bond issuance shall be paid out of the bond  
34 proceeds. These costs shall be shared proportionally by each  
35 program funded through this bond act.

36 5096.774. Actual costs incurred in connection with  
37 administering programs authorized under the categories specified  
38 in Section 5096.710 shall be paid from the funds authorized by  
39 this act.

1 5096.775. The secretary may request the Pooled Money  
2 Investment Board to make a loan from the Pooled Money  
3 Investment Account, including other authorized forms of interim  
4 financing that include, but are not limited to, commercial paper,  
5 in accordance with Section 16312 of the Government Code, for  
6 purposes of carrying out this chapter. The amount of the request  
7 shall not exceed the amount of the unsold bonds that the  
8 committee, by resolution, has authorized to be sold for the  
9 purpose of carrying out this chapter. The secretary shall execute  
10 any documents required by the Pooled Money Investment Board  
11 to obtain and repay the loan. Any amounts loaned shall be  
12 deposited in the fund to be allocated by the board in accordance  
13 with this chapter.

14 5096.776. All money deposited in the fund that is derived  
15 from premium and accrued interest on bonds sold shall be  
16 reserved in the fund and shall be available for transfer to the  
17 General Fund as a credit to expenditures for bond interest.

18 5096.777. The bonds may be refunded in accordance with  
19 Article 6 (commencing with Section 16780) of Chapter 4 of Part  
20 3 of Division 4 of Title 2 of the Government Code, which is a  
21 part of the State General Obligation Bond Law. Approval by the  
22 voters of the state of the issuance of the bonds described in this  
23 chapter includes the approval of the issuance of any bonds to  
24 refund any bonds originally issued under this chapter or any  
25 previously issued refunding bonds.

26 5096.778. Notwithstanding any provision of this chapter or  
27 the State General Obligation Bond Law, if the Treasurer sells  
28 bonds pursuant to this chapter that include a bond counsel  
29 opinion to the effect that the interest on the bonds is excluded  
30 from gross income for federal tax purposes, subject to designated  
31 conditions, the Treasurer may maintain separate accounts for the  
32 investment of bond proceeds and the investment earnings on  
33 those proceeds. The Treasurer may use or direct the use of those  
34 proceeds or earnings to pay any rebate, penalty, or other payment  
35 required under federal law or to take any other action with  
36 respect to the investment and use of those bond proceeds  
37 required or desirable under federal law to maintain the  
38 tax-exempt status of those bonds and to obtain any other  
39 advantage under federal law on behalf of the funds of this state.

1 5096.779. (a) The Legislature hereby finds and declares that,  
2 inasmuch as the proceeds from the sale of bonds authorized by  
3 this chapter are not “proceeds of taxes” as that term is used in  
4 Article XIII B of the California Constitution, the disbursement of  
5 these proceeds is not subject to the limitations imposed by that  
6 article.

7 (b) Funds provided pursuant to this chapter, and any  
8 appropriation or transfer of those funds, shall not be deemed to  
9 be a transfer of funds for the purposes of Chapter 9 (commencing  
10 with Section 2780) of Division 3 of the Fish and Game Code.

11 5096.781. Except for funds continuously appropriated by this  
12 chapter, all appropriations of funds pursuant to Section 5096.710  
13 for purposes of the program shall be included in the annual  
14 Budget Bill for the 2006–07 fiscal year, and each succeeding  
15 fiscal year, for consideration by the Legislature, and shall bear  
16 the label “California Clean Water, Clean Air, Safe Neighborhood  
17 Parks, and Coastal Protection Program Fund of 2006.” The  
18 annual Budget Bill section shall contain separate items for each  
19 project, each class of project, or each element of the program for  
20 which an appropriation is made.

21 5096.783. The secretary shall provide for an annual audit of  
22 expenditures from this chapter.

23 SEC. 2. Section 1 of this act shall take effect upon adoption  
24 by the voters of the California Clean Water, Clean Air, Safe  
25 Neighborhood Parks, and Coastal Protection Act of 2006, as set  
26 forth in Section 1 of this act.

27 SEC. 3. (a) Notwithstanding the requirements of any other  
28 provision of law, the Secretary of State shall submit Section 1 of  
29 this act to the voters at the 2006 statewide primary election.

30 (b) The Secretary of State shall ensure the placement of  
31 Section 1 of this act on the 2006 primary election, statewide  
32 ballot, in accordance with provisions of the Government Code  
33 and the Elections Code governing the submission of statewide  
34 measures to the voters.

35 (c) The Secretary of State shall include, in the ballot  
36 pamphlets mailed pursuant to Section 9094 of the Elections  
37 Code, the information specified in Section 9084 of the Elections  
38 Code regarding the bond act set forth in Section 1 of this act.

O

BAY AREA AIR QUALITY MANAGEMENT DISTRICT  
Inter Office Memorandum

To: Chairperson Brad Wagenknecht and  
Members of the Legislative Committee

From: Thomas Addison  
Advanced Projects Advisor

Date: February 15, 2005

Re: Update on District's 2005 Legislative Agenda

RECOMMENDED ACTION:

None; information item.

DISCUSSION

Staff will present an oral update on the status of the District's legislative agenda.

BUDGET CONSIDERATION/FINANCIAL IMPACT

No direct impact.

Respectfully submitted,

Thomas Addison  
Advanced Projects Advisor

FORWARDED: \_\_\_\_\_

Reviewed by: Jean Roggenkamp