

**Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 771-6000**

APPROVED MINUTES

Summary of Board of Directors
Legislative Committee Meeting
9:30 a.m., Monday, April 4, 2005

- 1. Call to Order - Roll Call:** Chairperson Brad Wagenknecht called the meeting to order at 9:40 a.m.

Present: Brad Wagenknecht, Chairperson, Chris Daly, Scott Haggerty (9:55 a.m.), Liz Kniss, Mark Ross, John Silva.

Absent: Dan Dunnigan, Erin Garner, Pamela Torliatt.

Also Present: Julia Miller, Marland Townsend.

- 2. Public Comment Period:** The following individual spoke:

Irvin Dawid
Palo Alto, CA 94301

Mr. Dawid stated that there would be a presentation on the Hydrogen Highway Blue Print at today's Advisory Council Air Quality Planning Committee meeting, and invited the Legislative Committee to attend the meeting. Mr. Dawid spoke on partial zero emission vehicles.

- 3. Approval of Minutes of February 23, 2005:** Director Silva moved approval of the minutes; seconded by Director Kniss; carried unanimously without objection.

- 4. Consideration of New Bills and Corresponding Agency Positions:**

- a) *AB 383 (Montanez)—Changes eligibility for smog check financial assistance*
- b) *AB 679 (Calderon)—Spot bill evolving into an attack on California's clean diesel fuel specifications*
- c) *AB 838 (Saldana)—Establishes tax credit for hybrid vehicles*
- d) *AB 898 (Maze)—Weakens training requirements for smog check technicians*
- e) *AB 1220 (Jones)—Strengthens portable equipment registration program*
- f) *AB 1223 (Leno)—Allows car companies to sell clean vehicles directly to the public*

- g) AB 1407 (Oropeza)—Imposes air quality fee on off-road diesel
- h) AB 1430 (Goldberg)—Disallows ERC use in low-income and minority communities
- i) AB 1697 (Pavley)—Prevents new daycare facilities near air pollution sources
- j) SB 523 (Torlakson)—Extends bike funding program
- k) SB 698 (Poochigian)—Funds clean-up of pre-'77 schoolbuses
- l) SB 761(Lowenthal)—Changes port truck idling program
- m) SB 762 (Lowenthal)—Establishes Oakland Area Intermodal Port Congestion and Environmental Quality Commission
- n) SB 771 (Simitian)—Bans ship incineration within three miles of shore
- o) SB 870 (Escutia)—Establishes mandatory minimum air penalties and directs funding to communities
- p) SB 975 (Ashburn)—Exempts biodiesel users from ARB fleet rules
- q) SB 976 (Ashburn)—Exempts military from California new source review requirements

Staff presented recommended positions on these bills. Staff also discussed briefly and answered questions on bills included in the BAAQMD Bill Discussion List—April 2005.

Thomas Addison, Advanced Projects Advisor, presented and discussed the following 17 bills with a staff recommendation for each one:

Director Julia Miller arrived at 9:48 a.m. Director Scott Haggerty arrived at 9:55 a.m.

Bill	Brief Description	Committee Recommendation
AB 383 (Montanez)	Changes eligibility for smog check financial assistance	Support if amended
AB 679 (Calderon)	Spot bill evolving into an attack on clean diesel fuel specifications	Oppose in concept
AB 838 (Saldana)	Establishes tax credit for hybrid vehicles	Support and seek amendments
AB 898 (Maze)	Weakens training requirements for smog check technicians	Oppose (<i>changed from Oppose in concept</i>)
AB 1220 (Jones)	Strengthens portable equipment registration program	Support
AB 1223 (Leno)	Allows manufacturers to sell clean vehicles directly to the public	Watch (<i>changed from Support in concept</i>)
AB 1407 (Oropeza)	Imposes air quality fee on off-road diesel fuel, and funds off-road incentive-based clean-up projects	Support in concept

AB 1430 (Goldberg)	Disallows use of emission reduction credits in low-income and minority areas	Seek Amendments <i>(changed from Oppose unless amended)</i>
AB 1697 (Pavley)	Evolving bill to prevent new daycare facilities near air pollution sources, with substantial unfunded work for district staff	Seek Amendments
SB 523 (Torlakson)	Extends an existing bike funding program which is slated for significant cuts	Support
SB 698 (Poochigian)	Funds clean-up of pre-1977 school buses	Support if amended
SB 761 (Lowenthal)	Imposes new requirements on air districts enforcing truck idling program at ports	Seek amendments
SB 762 (Lowenthal)	Establishes Oakland Area Intermodal Port Congestion and Environmental Quality Commission	Seek amendments
SB 771 (Simitian)	Bans ship incineration within three miles of shore	Support
SB 870 (Escutia)	Establishes mandatory minimum air penalties and directs funding to communities adjacent to violators	Oppose unless amended
SB 975 (Ashburn)	Exempts biodiesel users from ARB fleet rules	Oppose
SB 976 (Ashburn)	Exempts military from California new source review requirements	Oppose

Committee Action: Director Ross moved that the Committee recommend that the Board adopt the positions on the list of 17 bills, including revised positions on three of the bills; seconded by Director Kniss; carried unanimously without objection.

5. **Committee Members' Comments:** Board Chairperson Townsend discussed the concept of not introducing any bills in the first year of the two years of the legislative session.
6. **Time and Place of Next Meeting:** At the Call of the Chair.
7. **Adjournment:** The meeting was adjourned at 10:52 a.m.

/s/ Mary Romaidis
Mary Romaidis
Clerk of the Boards