

Bay Area Air Quality Management District
939 Ellis Street
San Francisco, California 94109
(415) 749-5000

APPROVED MINUTES

Summary of Board of Directors
Legislative Committee Meeting
9:30 a.m., Monday, September 22, 2008

- 1. Call to Order - Roll Call:** Chair Brad Wagenknecht called the meeting to order at 9:32 a.m.
Present: Brad Wagenknecht, Chairperson; Dan Dunnigan, Scott Haggerty, Carol Klatt, Janet Lockhart, Mark Ross and Michael Shimansky
Absent: Erin Garner and Tim Smith
Also Present: Pamela Torliatt
- 2. Public Comment Period:** There were none.
- 3. Approval of Minutes of April 21, 2008:** Director Shimansky moved approval of the minutes; seconded by Director Ross; carried unanimously without objection.
- 4. Summary of 2008 Legislative Year:** *Staff presented a summary of the recently-concluded year in Sacramento, highlighting the outcome of measures on which the District adopted positions.*

Thomas Addison, Senior Advanced Projects Advisor, presented the report, stating this year was heavily influenced by the budget and the State's lack of money. From a positive side, no bills that the Air District opposed passed the legislature. All bills the District opposed were either blocked or amended to eliminate the problems with the bills. The Governor has until September 30th to act on the bills.

The District's goal for 2008 was to work with MTC on legislation to allow a vote of the people on a regional gas fee for climate change and transportation. Jared Huffman introduced AB 2744. This would have allowed a popular vote in the Bay Area on a gas fee strictly for climate change. The bill failed to make it out of its first Policy Committee. Ultimately, similar language was placed in AB 2558 (Feuer), which made it all the way to the Senate floor.

Mr. Addison discussed the eleven (11) bills that the District adopted positions on, which included:

- AB 616 (Jones): Requires annual smog checks for cars at least 15 years old currently in the program;
- AB 619 (Emmerson): Amnesty for vehicles that committed title fraud;
- AB 2094 (DeSaulnier): Adds BCDC to the Joint Policy Committee;
- AB 2241 (Saldana): Closes smog check loophole that allows registration without required smog check;
- AB 2522 (Arambula): Increases vehicle registration fees for air quality in the Central Valley;
- AB 2744 (Huffman): Allows a majority vote in the Bay Area on a fuel fee to fund projects to cut climate change emissions from motor vehicles;
- AB 2558 (Feuer): Very similar to AB 2744, but allows a vote in each region of the state, and a vote on either registration surcharge OR fuel fee, and funding for climate change and transportation projects;
- AB 2922 (DeSaulnier): Adds non-vehicle violations to ARB's civil penalty authority;
- AB 2991 (Nunez): Adds climate change experts to ARB's Research Screening Committee;
- AJR 53 (Huffman): Urges Congress to pass legislation allowing California to implement its greenhouse gas standards for new vehicles;
- SB 375 (Steinberg): Changes to transportation and land use planning process to reduce VMT;
- SB 974 (Lowenthal): Establishes a container fee at LA, Long Beach and Oakland ports.

Mr. Addison said one of the biggest bills was SB 974 (Lowenthal), on port container fees. This year's version includes Oakland. After passing both houses, 10 days before the end of the session, the Governor requested major amendments. Mr. Addison noted Director Hill's efforts as being very helpful in blocking amendments that would have sent container fee revenues from the ports to the Central Valley.

Mr. Addison then discussed AB 616 (Jones) which requires annual versus biennial smog checks for cars at least 15 years old. This bill died, but is expected back next year. He noted San Joaquin Valley sponsored AB 2522, a measure to generate funding by raising registration fees dramatically, authored by Mr. Arambula.

Mr. Broadbent reported on a successful CAPCOA conference, noting that all Districts had co-sponsored the event with the exception of San Joaquin. He discussed their desire to look to the Bay Area to support and fund a short sea shipping project that would take containers that go to the Port of Oakland, put them on barges and send them to Stockton to relieve congestion.

Mr. Broadbent agreed to email the Committee members the outcome of the SB 974, as it can provide funding and improvements to the Port.

5. Overview of 2008/2009 State Budget: *The Committee received an overview of the State's budget for 2008/2009 and impacts to air quality programs.*

Mr. Addison provided the Committee with an update stating that the good news is that there was little directly affecting air quality in this year's Budget. He said ARB will receive \$6 million for hydrogen highways, an \$11 vehicle registration surcharge, and surprisingly, there was no reduction to air districts. However, he expects this funding may be cut next year.

He reported Proposition 1A subventions prevented a direct property tax hit to local governments. The Governor should sign the budget today or early this week, and a special election will be held in 2009 on components of this year's budget.

In response to questions of the Committee, Mr. Addison said the District's state subvention is currently \$1.2 million, but property taxes are a substantial portion of the District's budget.

Committee Action: None; this report was provided for information.

6. **Committee Members' Comments:** Committee member Haggerty suggested legislation to allow payment for multiple committee meetings on one day which would reduce transportation emissions.
7. **Time and Place of Next Meeting:** *9:30 a.m., Monday, October 27, 2008, 939 Ellis Street, San Francisco, CA.*
8. **Adjournment:** The meeting was adjourned at 10:18 a.m.

/s/ Lisa Harper
Clerk of the Boards