



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

AGENDA: 5

Air District-Sponsored Bills

**Legislative Committee Meeting
April 5, 2023**

**Alan Abbs
Legislative Officer
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Presentation Outcome



- Staff will provide the Legislative Committee (Committee) with a summary and status of the Air District-sponsored and co-sponsored bills.
- The Committee will discuss and consider staff's recommendations for additional sponsored or co-sponsored legislation.
- As information becomes available, staff will update the Committee on additional legislative activities that the Board of Directors has previously approved or may wish to become involved with.

Presentation Outline



Assembly Bill (AB) 536 (Wilson) – Bay Area Air Quality Management Advisory Council: compensation.

AB 953 (Connolly and Hart) – Coastal resources: voluntary vessel speed reduction and sustainable shipping program.

AB 1465 (Wicks) – Nonvehicular air pollution: civil penalties.

AB 1609 (Garcia) – Air pollution: motor vehicle registration: pollution reduction.

Presentation Requested Action



Committee to consider recommending that the Board of Directors approve co-sponsoring the following bill:

- AB 1609 (Garcia) – Air pollution: motor vehicle registration: pollution reduction.

AB 536 (Wilson)



Bay Area Air Quality Management Advisory Council: compensation.

- Introduced by Assemblymember Wilson on February 8, 2023.
- Moved through the Assembly fully on consent.
- The bill has been ordered to the Senate and is awaiting committee referral.
- Position: Sponsor

AB 953 (Connolly and Hart)



Coastal resources: voluntary vessel speed reduction and sustainable shipping program.

- Introduced by Assembly Members Connolly and Hart on February 14, 2023.
- Double-Referred:
 - Assembly Water, Parks, and Wildlife – Passed out of Committee with a vote in favor of 15-0 on March 28th.
 - Assembly Natural Resources – Scheduled for hearing on April 10th.
- Position: Co-Sponsor

AB 1465 (Wicks)



Nonvehicular air pollution: civil penalties.

- Introduced by Assemblymember Wicks on February 17, 2023.
- Double-Referred:
 - Assembly Natural Resources – The hearing has not yet been scheduled.
 - Assembly Judiciary – The hearing has not yet been scheduled.
- Position: Sponsor

AB 1609 (Garcia)



Air pollution: motor vehicle registration: pollution reduction.

- Introduced by Assemblymember Garcia on February 17, 2023.
 - Referred to Assembly Committee on Transportation – The hearing has not yet been scheduled.
- Position: Propose Co-Sponsor



Questions / Discussion



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AGENDA: 6

Discussion and Consideration of Brown Act Bills

**Legislative Committee Meeting
April 5, 2023**

**Alan Abbs
Legislative Officer
aabbs@baaqmd.gov**

Presentation Outcome



- The Legislative Committee (Committee) will discuss five bills related to the Brown Act and consider staff's recommendations for two of those bills.
- The Committee will recommend that the Board of Directors take positions on bills where appropriate.

Presentation Outline



The Committee will discuss and consider staff's recommendations for bills (if any) related to the Brown Act:

- Assembly Bill (AB) 557 (Hart)
- AB 817 (Pacheco)
- AB 1379 (Papan)
- Senate Bill (SB) 411 (Portantino)
- SB 537 (Becker)

Presentation Requested Action



Staff recommends a support position on the following bills related to the Brown Act:

Support

- AB 817 (Pacheco) – Open meetings: teleconferencing: subsidiary body.
- SB 537 (Becker) – Open meetings: local agencies: teleconferences.

AB 557 (Hart)



Open meetings: local agencies: teleconferences.

This bill would eliminate the sunset date (January 1, 2024) of AB 361 (Rivas, Chapter 165, Statutes of 2021), and extend the window for public noticing to use AB 361 provisions from 30 days to 45 days. Use of remote teleconferencing would still be limited to a declared state of emergency and need for social distancing.

Staff Recommendation: None, at this time.

AB 817 (Pacheco)



Open meetings: teleconferencing: subsidiary body.

This bill would allow remote teleconferencing without publicly noticing private locations to “subsidiary bodies,” i.e., ones that don’t have final decision-making authority, provided there was a remote public participation option. Would apply to all Air District Brown Act meetings except the Board meetings.

Staff Recommendation: Support

AB 1379 (Papan)



Open meetings: local agencies: teleconferences.

Would require only one posting location to notice a Brown Act meeting, effectively allowing remote teleconferencing without personal location identification. Would eliminate the current January 1, 2026, sunset date for AB 2449 meeting requirements, and eliminate other AB 2449 provisions that limit the number of times that members can use a remote option to attend meetings. Would require two meetings per year of a legislative body with all in-person attendance.

Staff Recommendation: None, at this time.

SB 411 (Portantino)



Open meetings: teleconferences: bodies with appointed membership.

As currently drafted, SB 411 would authorize legislative bodies with appointed membership to continue to meet remotely without providing the physical location of each appointed member. At this time, we understand that Senator Portantino's bill is intended to address remote participation for the 99 neighborhood councils, as well as boards and commissions, in the City of Los Angeles. However, the bill must be amended if it is to address that more narrow class of Brown Act entities.

Staff Recommendation: None, at this time.

SB 537 (Becker)



Open meetings: local agencies: teleconferences.

Adds one additional reason (immunocompromised family member) for the “just cause” that allows for remote participation under AB 2449. It also allows blanket remote teleconferencing without personal location noticing for all legislative bodies that are appointed, including multijurisdictional bodies, which would include the Air District Board and committee meetings. The public would have to be provided a way to remotely participate.

Staff Recommendation: Support



Questions / Discussion



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AGENDA: 7

Consideration of New Bills

**Legislative Committee Meeting
April 5, 2023**

**Alan Abbs
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Presentation Outcome



- The Legislative Committee (Committee) will discuss and consider staff's recommendations of bills to support, oppose, and work with the author during the legislative session.
- The Committee will recommend that the Board of Directors take positions on high priority bills where appropriate.
- Staff will review other bills that may be of interest to the Committee.

Presentation Outline



- The Committee will discuss and consider staff's recommendations for high priority bills of interest.
- Specifically, staff will discuss the following bills:
 - Assembly Bill (AB) 504, AB 698, AB 1267, and AB 1464.
 - Senate Bill (SB) 397, SB 415, SB 527, SB 674, and 768.

Presentation Requested Action



Staff recommends the following positions on current legislation:

Support: AB 1267 (Ting) and SB 397 (Wahab)

Oppose: AB 698 (Essayli)

Oppose Unless Amended: SB 415 (Durazo)

Work with Author: SB 768 (Caballero)

AB 504 (Reyes)



State and local public employees: labor relations: disputes.

If passed, AB 504 might complicate Air District compliance and enforcement activities at facilities that are sites of primary labor disputes.

Staff Recommendation: None, at this time.

AB 698 (Essayli)



Energy: gas stoves.

If passed, AB 698 would prohibit local governments from adopting decarbonization policies, including all-electric new home construction.

Staff Recommendation: Oppose

AB 1267 (Ting)



Zero-emission vehicle incentive programs: gasoline superusers.

If passed, AB 1267 would create an additional incentive within the Clean Cars 4 All Program, for high mileage drivers to purchase a zero-emission vehicle.

Staff Recommendation: Support

AB 1464 (Connolly)



Richmond-San Rafael Bridge.

If passed, AB 1464 would make several requirements regarding operation of the third eastbound lane contingent upon a project to open the lane to motor vehicle traffic.

Staff Recommendation: None, at this time.

SB 397 (Wahab)



Safety roadside rests: electric vehicle service equipment.

If passed, SB 397 would task the California Air Resources Board (CARB) to establish a program to provide electric vehicle charging infrastructure at highway rest stops.

Staff Recommendation: Support

SB 415 (Durazo)



Air quality: rules and regulations: socioeconomic impacts assessment.

If passed, SB 415 would expand the definitions and requirements of a socioeconomic impact assessment conducted by an air district or CARB.

Staff Recommendation: Oppose Unless Amended

SB 527 (Min)



Neighborhood Decarbonization Program.

If passed, SB 527 would establish a Neighborhood Decarbonization Program, and allow a gas corporation to propose to cease providing service in some areas.

Staff Recommendation: None, at this time.

SB 674 (Gonzalez)



Air pollution: refineries: community air monitoring systems: fence-line monitoring systems.

If passed, SB 674 would make changes to existing fenceline monitoring requirements at refineries, including equipment, reporting, and emergency response.

Staff Recommendation: Work with Author – To be considered by the Board on April 5, 2023.

SB 768 (Caballero)



California Environmental Quality Act: vehicle miles traveled: statement of overriding consideration.

If passed, SB 768 may relax requirements for some lead agencies to address potential vehicle miles traveled (VMT) increases in CEQA analyses.

Staff Recommendation: Work with Author



Questions / Discussion