ASSEMBLY BILL No. 315

Introduced by Assembly Member Cristina Garcia

January 30, 2019

An act to amend Section 39607.1 of the Health and Safety Code, relating to nonvehicular air pollution. Sections 50024 and 53060.5 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL’S DIGEST


Existing law authorizes the legislative body of a local agency, defined as a county, city, or city and county, or a district, defined broadly to include other political subdivisions or public corporations in the state other than the state or a county, city and county, or city, to attend the Legislature and the Congress of the United States, and any committees thereof, and to present information regarding legislation that the legislative body or the district deems to be beneficial or detrimental to the local agency or the district. Existing law also authorizes the legislative body of a local agency or a district to enter into an association for these purposes and specifies that the cost and expense incident to the legislative body’s or district’s membership in the association and the activities of the association are proper charges against the local agencies or districts comprising the association.

This bill, with respect to moneys paid to or otherwise received by an association from a local agency or district member of the association, would prohibit an association of local agencies or districts from...
expending those moneys for any purpose other than the above-described activities and educational activities. The bill would also require the association to publicly disclose the amount of those moneys expended on the above-described activities of the association. The bill would prohibit an association from incurring any travel-related expenses except as may be necessary for the association to hold an annual conference or other gathering of its members.

Existing law require the State Air Resources Board, in consultation with air pollution control and air quality management districts, to establish a uniform statewide system of annually reporting of emissions of criteria air pollutants and toxic air contaminants for specified stationary sources. Existing law authorizes the state board to require, as appropriate, a stationary source to verify or certify the accuracy of its annual emissions reports by a 3rd-party verifier or certifier that is accredited by the state board.

This bill instead would require, instead of authorize, the state board to require, as appropriate, a stationary source to verify or certify the accuracy of its annual emissions reports by a 3rd-party verifier or certifier that is accredited by the state board.


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

1. **SECTION 1.** Section 50024 of the Government Code is amended to read:

2. 50024. (a) The legislative bodies of a local agencies may enter into associations and, through a representative of the associations, attend the Legislature and Congress, the Congress of the United States, and any committees thereof, and present information to aid the passage of legislation which the association deems beneficial to the local agencies in the association, or to prevent the passage of legislation which the association deems detrimental to the local agencies in the association. The cost and expense incident thereto to a legislative body’s membership in an association and the activities of the association pursuant to this section are proper charges against the local agencies comprising the association.
(b) Notwithstanding any other law, the following shall apply with respect to any moneys paid to or otherwise received by an association from a local agency member of that association:

(1) An association shall not expend the moneys described in this subdivision for any purpose other than those activities described in subdivision (a) and educational activities.

(2) The association shall publicly disclose any expenditure of the moneys described in this subdivision, including a description of the activity funded.

(c) An association of local agencies subject to this section shall not incur any travel-related expenses except as may be necessary for the association to hold an annual conference or other gathering, whether or not that gathering is held on a regular basis, of its members.

SEC. 2. Section 53060.5 of the Government Code is amended to read:

53060.5. The term “district,” as used in: (a) For purposes of this section, “district” means a district, public authority, public agency, and any other political subdivision or public corporation in the state, but does not include the state or a county, city and

Any (b) (1) Any district, directly or through a representative, may attend the Legislature or any other legislative body, including Congress, the Congress of the United States, and any committees thereof, and present information to aid the passage of legislation which the district deems beneficial to the district or to prevent the passage of legislation which the governing board of the district deems detrimental to the district. The cost and expense incident there to a district’s activities under this paragraph are proper charges against the district. Such districts

Any (2) A district may enter into and provide for participation in the business of associations and an association and, through a representative of the association, attend the Legislature, or any other legislative body, including Congress, the Congress of the United States, and any committees thereof, and present information to aid the passage of legislation which the association deems beneficial to the districts in the association, or to prevent the passage of legislation which the association deems detrimental to the districts in the association. The cost and expense
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(3) Subject to subdivision (d), each member of the district board engaging in such those activities described in this subdivision on behalf of the district shall be allowed eleven cents ($0.11) per mile, without any constructive mileage, for his board member’s expenses of traveling necessarily done by automobile, and his the member’s actual traveling expenses when he the member travels by public conveyance.

c) Notwithstanding any other law, the following shall apply with respect to any monies paid to or otherwise received by an association from a district member of that association:

(1) An association shall not expend the moneys described in this subdivision for any purpose other than those activities described in subdivision (b) and educational activities.

(2) The association shall publicly disclose any expenditure of the moneys described in this subdivision, including a description of the activity funded.

d) An association of districts subject to this section shall not incur any travel-related expenses except as may be necessary for the association to hold an annual conference or other gathering, whether or not that gathering is held on a regular basis, of its members.

SECTION 1. Section 39607.1 of the Health and Safety Code is amended to read:

39607.1. (a) For purposes of this section, the following definitions apply:

(1) “Nonattainment pollutant” means a criteria air pollutant for which a district is classified as a nonattainment area pursuant to this division or the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.).

(2) “Stationary source” means any of the following:

(A) A facility that is required to report to the state board the facility’s greenhouse gas emissions pursuant to Section 38530.

(B) A facility that is authorized by a permit issued by a district to emit 250 or more tons per year of any nonattainment pollutant or its precursors.
(C) A facility that receives an elevated prioritization score based on cancer or noncancer health impacts pursuant to Section 44360.

(b) (1) The state board, in consultation with districts, shall establish a uniform statewide system of annual reporting of emissions of criteria air pollutants and toxic air contaminants for a stationary source.

(2) The state board shall require a stationary source to report to the state board its annual emissions of criteria air pollutants and toxic air contaminants using the uniform statewide system of annual reporting developed pursuant to paragraph (1).

(c) With the report required pursuant to paragraph (2) of subdivision (b), the state board may require, as appropriate, a stationary source to provide relevant facility-level emissions data.

(d) The state board shall require, as appropriate, a stationary source to verify or certify the accuracy of its annual emissions reports by a third-party verifier or certifier that is accredited by the state board.