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1998 AIR QUALITY LEGISLATION
ANNUAL SUMMARY

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Introduction

The Air Resources Board (ARB) is a department of the California Environmental Protection Agency (Cal/EPA). ARB's mission is to promote and protect public health, welfare, and ecological resources through effective reduction of air pollutants while recognizing and considering effects on the economy. ARB oversees all air pollution control efforts to attain and maintain health based air quality standards in California.

ARB's Legislative Office is a component of ARB's Office of Legislative and Intergovernmental Affairs. The Legislative Office serves as the principal resource on air quality-related issues for Cal/EPA, the Governor's Office, and the Legislature. The Intergovernmental Affairs Office assists the Legislative Office on legislation that affects the air districts and local governments. As the Administration's key air quality legislative staff, ARB's Legislative Office serves as the conduit for transmission of technical expertise, while at the same time providing a policy context with which to view technical issues.

This summary contains brief descriptions of the legislation tracked by ARB's Legislative Office during the second year of the 1997-98 Legislative Session. Bills are listed in numerical order and are identified as chaptered, vetoed or dead (failed passage). Of the more than 5,000 bills introduced in the 1997-98 session, 105 bills were tracked by ARB's legislative staff in 1998. These bills addressed a wide array of air quality issues including motor vehicle pollution controls, fuels, particulate air pollution, Smog Check and many more.

The bills are arranged five different ways in this report. First, they are listed by categories in the BILLS BY SUBJECT section. Second, each bill is listed according to the legislator who introduced the bill in the BILLS BY AUTHOR section. Third, each bill is listed in numerical order in the ASSEMBLY BILLS and SENATE BILLS sections along with a brief description of the provisions of the bill. Fourth, the bills enacted in 1998 are listed in the CHAPTERED BILLS section. Please note that unless specified as urgency legislation, which becomes effective upon signature by the Governor, each bill chaptered in 1998 becomes effective January 1, 1999. Lastly, VETOED BILLS are listed and copies of the veto message transmitted for each of those measures are included. In addition, we have included brief summaries of the chaptered bills from the first year of this legislative session in the BILLS CHAPTERED IN 1997 section.¹

¹For more detailed information regarding all of the bills that ARB tracked during 1997, please refer to the [1997 Summary of Air Quality Legislation](#). This document is also available through the Office of Legislative and Intergovernmental Affairs at (916) 322-2896.

BILLS BY SUBJECT

AIR DISTRICTS

AB 392	Granlund	Leaf Blowers/ Mojave Desert Governing Board	Dead
AB 1114	Napolitano	State Audit of South Coast Air District	Dead
AB 2194	Washington	South Coast Motor Vehicle Registration Fee	Vetoed
AB 2652	Cardoza	San Joaquin Valley Agricultural Burning Program	Dead
AB 2667	Miller	Socioeconomic Requirements	Dead
SB 432	Lewis	South Coast's Commute Option Rule	Chapter 98-67
SB 476	Rosenthal	South Coast Vehicle Registration Surcharge	Dead
SB 731	Hurt	Parking Cash-Out Programs	Dead
SB 886	Knigh	Mojave Desert Air District	Dead
SB 1203	Hayden	South Coast Airport Expansion	Dead
SB 1543	Kelley	Best Available Retrofit Control Technology	Dead
SB 1643	Hayden	South Coast Compliance and Enforcement Program	Dead
SB 1649	Comm. on Local Government	Omnibus Bill	Chapter 98-876

AGRICULTURAL OPERATIONS AND AGRICULTURAL WASTE

AB 1513	Cardoza	Biomass Conversion Facilities	Dead
AB 1699	Ortiz	Rice Straw Burning/ Particulate Pollution	Dead
AB 1740	Richter	Agricultural Burn Permit Fees	Dead
AB 2273	Woods	Biomass Facility Cost-Shifting Strategies	Chapter 98-816
AB 2632	Thomson	Rice-to-Ethanol Study	Dead

CONSUMER PRODUCTS

AB 1376	Baugh	Consumer Product Regulations	Dead
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ENFORCEMENT

AB 529	Baldwin	State Agency Fine and Penalty Revenues	Dead
AB 763	Aroner	Bay Area Air District Enforcement Practices	Dead
AB 1376	Baugh	Consumer Product Regulations	Dead
AB 1944	Runner	Fuel Penalties	Chapter 98-432
SB 270	Peace	Foreign Commercial Vehicle Inspections	Chapter 98-727
SB 315	Calderon	Black Market Motor Vehicle Fuel	Dead
SB 423	Hurt	Environmental Audits	Dead
SB 598	Sher	Environmental Audits	Dead
SB 647	Brulte	Environmental Requirements and Penalties	Dead
SB 1275	Haynes	Heavy-Duty Vehicle Inspection Program	Dead
SB 1926	Mountjoy	Fuel Component Prohibition	Dead

BILLS BY SUBJECT

GREENHOUSE GASES

AB 2727	Perata	Greenhouse Gas Standards	Dead
AJR 73	Olberg	The Kyoto Protocol	Dead
SB 1941	Sher	Greenhouse Gas Emissions Inventory	Vetoed

HEAVY DUTY VEHICLES/ TRUCKING

AB 1368	Villaraigosa	Incentives for Diesel Vehicle/ Engine Emissions	Vetoed
SB 270	Peace	Foreign Commercial Vehicle Inspections	Chapter 98-727
SB 1083	Polanco	Diesel Exhaust Toxicity	Dead
SB 1096	Brulte	Trust Fund for Heavy-duty Vehicles	Dead
SB 1275	Haynes	Heavy Duty Vehicle Inspection Program	Dead
SB 1343	Johannessen	Particulate Matter from Vehicles	Dead
SB 1857	Brulte	Diesel Incentives Program	Vetoed

LOW-EMISSION AND ZERO-EMISSION VEHICLES

AB 263	Baca	U.C. Riverside Demonstration Program	Dead
AB 2085	Ortiz	Tax Exemption for Experimental Fuels	Dead
AB 2629	Brewer	ARB's Fleet Average Standard	Dead
AB 2692	Kuehl	Tax Benefits for ULEVs	Dead
ACR 64	Knox	Federal Clean Fuel Vehicle Program	Chapter 98-R-149
SB 211	Kelley	Neighborhood Electric Vehicle Pilot Program	Dead
SB 1782	Thompson	Vehicle License Fee Exemption	Chapter 98-888
SB 2107	O'Connell	High Fuel-Efficient Vehicles	Dead

MONITORING

AB 278	Escutia	Children's Health Protection	Vetoed
SB 647	Brulte	Environmental Requirements and Penalties	Dead
SB 661	O'Connell	Pesticide Air Monitoring	Chapter 98-274
SB 1247	Hayden	South Coast Particulate Matter	Vetoed

MOTORCYCLES AND OFF-ROAD MOBILE SOURCES

AB 325	Baldwin	California's Motorcycle Emission Standards	Dead
AB 2439	Bowen	2-stroke Marine Engine Phase-out	Dead
SB 1726	Johannessen	Motorcycles and All-Terrain Vehicles	Dead

MOTOR VEHICLE REGISTRATION FEES

AB 2194	Washington	South Coast Motor Vehicle Registration Fee	Vetoed
SB 476	Rosenthal	South Coast Vehicle Registration Surcharge	Dead
SB 1250	Kopp	Smog Check Repair Assistance	Chaptered 98-601

PARTICULATE MATTER

AB 1699	Ortiz	Rice Straw Burning/Particulate Pollution	Dead
SB 1190	Hayden	Owens Lake Bed Dust Control	Vetoed
SB 1247	Hayden	South Coast Particulate Matter	Vetoed
SB 1343	Johannessen	Particulate Matter from Vehicles	Dead

SB 1376	Knight	Owens Lake Bed Dust Mitigation	Dead
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PERMITTING

AB 117	Escutia	Demolition or Construction Debris	Chapter 98-1020
SB 649	Mountjoy	Production Limits	Dead

PETROLEUM VIOLATION ESCROW ACCOUNT (PVEA)

AB 161	Pacheco	Petroleum Violation Escrow Account Funds	Dead
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PUBLIC ACCESS TO AGENCY INFORMATION

SB 58	Ayala	State Agency Legislative Analyses	Dead
SB 1047	Sher	Cal/EPA Regulatory Implementation	Vetoed
SB 1364	Ayala	Bagley-Keene Open Meeting Act	Dead
SB 1609	Ayala	State Agency Forms	Dead
SB 2119	Hurt	Agency Reports on the Internet	Dead

REFORMULATED FUELS/MTBE

AB 1642	Bowen	Fuel Regulation Suspension	Vetoed
AB 1650	Richter	Ethanol/Methanol Labeling	Chapter 98-459
AB 1944	Runner	Fuel Penalties	Chapter 98-432
AB 2085	Ortiz	Tax Exemption for Experimental Fuels	Dead
AB 2632	Thomson	Rice-to-Ethanol Study	Dead
AB 2727	Perata	Greenhouse Gas Standards	Dead
AB 2731	Perata	Vehicle Fuel Toxicity	Dead
SB 52	Kopp	Motor Vehicle Fuel Prices	Dead
SB 315	Calderon	Black Market Motor Vehicle Fuel	Dead
SB 775	Johannessen	MTBE Study	Dead
SB 1926	Mountjoy	Fuel Component Prohibition	Dead
SB 2198	Sher	Policy Council Fuel Consultation	Chapter 98-997
SJR 36	Johannessen	California Fuel Permission	Chapter 98-R-99

REGULATORY ADOPTION AND IMPLEMENTATION

AB 1170	Kaloogian	State Agency Performance Audits	Dead
AB 1393	Alquist	State Agency Performance Audits	Dead
AB 1671	Keeley	Environmental Goals and Policy Report	Dead
SB 178	Monteith	Administrative Adjudication of Scientific Evidence	Dead
SB 209	Kopp	Judicial Review of Agency Actions	Dead
SB 1047	Sher	Cal/EPA Regulatory Implementation	Vetoed
SB 1114	Solis	Small Business Environmental Assistance Center	Dead

SMOG CHECK

AB 1437	Cardoza	Transported Air Pollution	Dead
AB 1914	Ashburn	Smog Check Tax Credit	Dead
AB 2311	Baugh	Tax Credit for Smog Check Equipment	Dead
AB 2552	Baugh	Smog Check II	Dead
AB 2789	Thomson	Smog Check II	Vetoed

BILLS BY SUBJECT

AB 2795	Oller	Repeal of Smog Check II	Dead
SB 61	Haynes	Repeal of Smog Check II	Dead
SB 679	Mountjoy	Smog Check	Dead
SB 1250	Kopp	Smog Check Repair Assistance	Chaptered 98-601
SB 1358	Costa	Bay Area Smog Check II Program	Dead
SB 1366	Monteith	Transported Air Pollution	Dead
SB 1754	Johannessen	Smog Check	Chapter 98-938
SB 2185	Kelley	Smog Check	Chaptered 98-92
SB 2219	Johannessen	Smog Check	Dead
SCA 20	Mountjoy	Smog Check	Dead

SMOG IMPACT FEE

SB 40	Johannessen	Repeal of Smog Impact Fee	Dead
SB 201	Kelley	Smog Impact Fee Exemption	Dead

STATE AGENCY ADMINISTRATION/PUBLIC ACCESS

AB 529	Baldwin	State Agency Fine and Penalty Revenues	Dead
AB 1170	Kaloogian	State Agency Performance Audits	Dead
AB 1393	Alquist	State Agency Performance Audits	Dead
AB 1671	Keeley	Environmental Goals and Policy Report	Dead
SB 58	Ayala	State Agency Legislative Analyses	Dead
SB 209	Kopp	Judicial Review of Agency Actions	Dead
SB 658	Sher	OEHHA Scientific Peer Review	Vetoed
SB 1047	Sher	Cal/EPA Regulatory Implementation	Vetoed
SB 1364	Ayala	Bagley-Keene Open Meeting Act	Dead
SB 1423	Mountjoy	Legislative Regulatory Review	Dead
SB 1609	Ayala	State Agency Forms	Dead
SB 1926	Mountjoy	Fuel Component Prohibition	Dead
SB 2077	Mountjoy	Air Quality Officials' Vehicle Usage	Dead
SB 2119	Hurt	Agency Reports on the Internet	Dead
SB 2198	Sher	Policy Council Fuel Consultation	Chapter 98-997

STATE AND FEDERAL STANDARDS

AB 278	Escutia	Children's Health Protection	Vetoed
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TAX CREDITS AND BENEFITS

AB 613	Margett	Telecommuting Tax Benefit	Dead
AB 1914	Ashburn	Smog Check Tax Credit	Dead
AB 2085	Ortiz	Tax Exemption for Experimental Fuels	Dead
AB 2311	Baugh	Tax Credit for Smog Check Equipment	Dead
AB 2692	Kuehl	Tax Benefits for ULEVs	Dead
SB 1096	Brulte	Trust Fund for Heavy-Duty Vehicles	Dead
SB 1636	Haynes	Tax Credits for Heavy-Duty Smokemeters	Dead
SB 1782	Thompson	Vehicle License Fee Exemption	Chapter 98-888
SB 2107	O'Connell	High Fuel-Efficient Vehicles	Dead

TOXICS STANDARDS

AB 278	Escutia	Children's Health Protection	Vetoed
AB 2617	Figueroa	Expeditious Listing of TACs	Dead
AB 2731	Perata	Vehicle Fuel Toxicity	Dead
SB 1083	Polanco	Diesel Exhaust Toxicity	Dead

TRIP REDUCTION/RIDESHARING

AB 613	Margett	Telecommuting Tax Benefit	Dead
ACR 64	Knox	Federal Clean Fuel Vehicle Program	Chapter 98-R-149
SB 432	Lewis	South Coast's Commute Option Rule	Chapter 98-67
SB 731	Hurttt	Parking Cash-Out Programs	Dead
SB 2077	Mountjoy	Air Quality Officials' Vehicle Usage	Dead

VEHICLE SCRAPPAGE PROGRAMS

SB 1725	Johannessen	Vehicle Scrappage/Collector Cars	Dead
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MISCELLANEOUS

AB 262	Woods	Prescribed Burning Permits	Dead
AB 362	Bowen	Environmental Advertising	Dead
AB 375	Firestone	Tire Recycling	Dead
AB 2273	Woods	Biomass Facility Cost-Shifting Strategies	Chapter 98-816
SB 137	Maddy	Environmental Tobacco Smoke	Dead
SB 442	Brulte	Guidelines for Evaluation of Health Effects	Dead
SB 658	Sher	OEHHA Scientific Peer Review	Vetoed
SB 661	O'Connell	Pesticide Air Monitoring	Chapter 98-274
SB 722	Alpert	Emerging Technology Fund	Dead
SJR 13	Haynes	Average Fuel Economy Standards	Dead

BILLS BY AUTHOR

BILLS BY SUBJECT

Assembly

ARONER

AB 763 Aroner Bay Area Air District Enforcement Practices Dead

ALQUIST

AB 1393 Alquist State Agency Performance Audits Dead

ASHBURN

AB 1914 Ashburn Smog Check Tax Credit Dead

BACA

AB 263 Baca U.C. Riverside Demonstration Program Dead

BALDWIN

AB 325 Baldwin California's Motorcycle Emission Standards Dead

AB 529 Baldwin State Agency Fine and Penalty Revenues Dead

BAUGH

AB 1376 Baugh Consumer Product Regulations Dead

AB 2311 Baugh Tax Credit for Smog Check Equipment Dead

AB 2552 Baugh Smog Check II Dead

BOWEN

AB 362 Bowen Environmental Advertising Dead

AB 1642 Bowen Fuel Regulation Suspension Vetoed

AB 2439 Bowen 2-Stroke Marine Engine Phase-out Dead

BREWER

AB 2629 Brewer ARB's Fleet Average Standard Dead

CARDOZA

AB 1437 Cardoza Transported Air Pollution Dead

AB 1513 Cardoza Biomass Conversion Facilities Dead

AB 2652 Cardoza San Joaquin Valley Agricultural Burning Program Dead

ESCUTIA

AB 117 Escutia Demolition or Construction Debris Chapter 98-1020

AB 278 Escutia Children's Health Protection Dead

FIGUEROA

AB 2617	Figueroa	Expeditious Listing of TACs	Dead
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FIRESTONE

AB 375	Firestone	Tire Recycling	Dead
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GRANLUND

AB 392	Granlund	Leaf Blowers/ Mojave Desert Governing Board	Dead
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KALOOGIAN

AB 1170	Kaloogian	State Agency Performance Audits	Dead
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KEELEY

AB 1671	Keeley	Environmental Goals and Policy Report	Dead
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KNOX

ACR 64	Knox	Federal Clean Fuel Vehicle Program	Chapter 98-R-149
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KUEHL

AB 2692	Kuehl	Tax Benefits for ULEVs	Dead
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MARGETT

AB 613	Margett	Telecommuting Tax Benefit	Dead
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MILLER

AB 2667	Miller	Socioeconomic Requirements	Dead
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NAPOLITANO

AB 1114	Napolitano	State Audit of South Coast Air District	Dead
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OLBERG

AJR 73	Olberg	The Kyoto Protocol	Dead
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OLLER

AB 2795	Oller	Repeal of Smog Check II	Dead
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ORTIZ

AB 1699	Ortiz	Rice Straw Burning/Particulate Pollution	Dead
AB 2085	Ortiz	Tax Exemption for Experimental Fuels	Dead

PACHECO

AB 161	Pacheco	Petroleum Violation Escrow Account Funds	Dead
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BILLS BY AUTHOR

PERATA

AB 2727	Perata	Greenhouse Gas Standards	Dead
AB 2731	Perata	Vehicle Fuel Toxicity	Dead

RICHTER

AB 1650	Richter	Ethanol/Methanol Labeling	Chapter 98-459
AB 1740	Richter	Agricultural Burn Permit Fees	Dead

RUNNER

AB 1944	Runner	Fuel Penalties	Chapter 98-432
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THOMSON

AB 2632	Thomson	Rice-to-Ethanol Study	Dead
AB 2789	Thomson	Smog Check II	Vetoed

VILLARAIGOSA

AB 1368	Villaraigosa	Incentives for Diesel Vehicle/Engine Emissions	Vetoed
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WASHINGTON

AB 2194	Washington	South Coast Motor Vehicle Registration Fee	Vetoed
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WOODS

AB 262	Woods	Prescribed Burning Permits	Dead
AB 2273	Woods	Biomass Facility Cost-shifting Strategies	Chapter 98-816

Senate

ALPERT

SB 722	Alpert	Emerging Technology Fund	Dead
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AYALA

SB 58	Ayala	State Agency Legislative Analyses	Dead
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SB 1364	Ayala	Bagley-Keene Open Meeting Act	Dead
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SB 1609	Ayala	State Agency Forms	Dead
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BRULTE

SB 442	Brulte	Guidelines for Evaluation of Health Effects	Dead
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SB 647	Brulte	Environmental Requirements and Penalties	Dead
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SB 1096	Brulte	Trust Fund for Heavy-Duty Vehicles	Dead
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SB 1857	Brulte	Diesel Incentives Program	Vetoed
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CALDERON

SB 315	Calderon	Black Market Motor Vehicle Fuel	Dead
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COSTA

SB 1358	Costa	Bay Area Smog Check II Program	Dead
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HAYDEN

SB 1190	Hayden	Owens Lake Bed Dust Control	Vetoed
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SB 1203	Hayden	South Coast Airport Expansion	Dead
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SB 1247	Hayden	South Coast Particulate Matter	Vetoed
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SB 1643	Hayden	South Coast Compliance and Enforcement Program	Dead
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HAYNES

SB 61	Haynes	Repeal of Smog Check II	Dead
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SB 1275	Haynes	Heavy-Duty Vehicle Inspection Program	Dead
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SB 1636	Haynes	Tax Credits for Heavy-Duty Smokemeters	Dead
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SJR 13	Haynes	Average Fuel Economy Standards	Dead
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HURTT

SB 423	Hurtt	Environmental Audits	Dead
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SB 731	Hurtt	Parking Cash-Out Programs	Dead
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SB 2119	Hurtt	Agency Reports on the Internet	Dead
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BILLS BY AUTHOR

JOHANNESSEN

SB 40	Johannessen	Repeal of Smog Impact Fee	Dead
SB 775	Johannessen	MTBE Study	Dead
SB 1343	Johannessen	Particulate Matter from Vehicles	Dead
SB 1725	Johannessen	Vehicle Scrappage/Collector Cars	Dead
SB 1726	Johannessen	Motorcycles and All-Terrain Vehicles	Dead
SB 1754	Johannessen	Smog Check	Chapter 98-938
SB 2219	Johannessen	Smog Check	Dead
SJR 36	Johannessen	California Fuel Permission	Chapter 98-R-99

KELLEY

SB 201	Kelley	Smog Impact Fee Exemption	Dead
SB 211	Kelley	Neighborhood Electric Vehicle Pilot Program	Dead
SB 1543	Kelley	Best Available Retrofit Control Technology	Dead
SB 2185	Kelley	Smog Check	Chapter 98-92

KNIGHT

SB 886	Knight	Mojave Desert Air District	Dead
SB 1376	Knight	Owens Lake Bed Dust Mitigation	Dead

KOPP

SB 52	Kopp	Motor Vehicle Fuel Prices	Dead
SB 209	Kopp	Judicial Review of Agency Actions	Dead
SB 1250	Kopp	Smog Check Repair Assistance	Chapter 98-601

LEWIS

SB 432	Lewis	South Coast's Commute Option Rule	Chapter 98-67
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MADDY

SB 137	Maddy	Environmental Tobacco Smoke	Dead
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MONTEITH

SB 178	Monteith	Administrative Adjudication of Scientific Evidence	Dead
SB 1366	Monteith	Transported Air Pollution	Dead

MOUNTJOY

SB 649	Mountjoy	Production Limits	Dead
SB 679	Mountjoy	Smog Check	Dead
SB 1423	Mountjoy	Legislative Regulatory Review	Dead
SB 1926	Mountjoy	Fuel Component Prohibition	Dead
SB 2077	Mountjoy	Air Quality Officials' Vehicle Usage	Dead
SCA 20	Mountjoy	Smog Check	Dead

O'CONNELL

SB 661	O'Connell	Pesticide Air Monitoring	Chapter 98-274
SB 2107	O'Connell	High Fuel-Efficient Vehicles	Dead

POLANCO

SB 1083	Polanco	Diesel Exhaust Toxicity	Dead
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PEACE

SB 270	Peace	Foreign Commercial Vehicle Inspections	Chapter 98-727
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ROSENTHAL

SB 476	Rosenthal	South Coast Vehicle Registration Surcharge	Dead
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SHER

SB 598	Sher	Environmental Audits	Dead
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SB 658	Sher	OEHHA Scientific Peer Review	Vetoed
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SB 1047	Sher	Cal/EPA Regulatory Implementation	Vetoed
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SB 1941	Sher	Greenhouse Gas Emissions Inventory	Vetoed
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SB 2198	Sher	Policy Council Fuel Consultation	Chapter 98-997
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SOLIS

SB 1114	Solis	Small Business Environmental Assistance Center	Dead
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THOMPSON

SB 1782	Thompson	Vehicle License Fee Exemption	Chapter 98-888
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ASSEMBLY BILLS

ASSEMBLY BILLS

AB 117 Escutia Demolition or Construction Debris Chapter 98-1020

The original version of this bill prohibited the operation of solid waste facilities that handle demolition or construction debris unless authorized in law or by the California Integrated Waste Management Board.

AB 161 Pacheco Petroleum Violation Escrow Account Funds Dead

Appropriates Petroleum Violation Escrow Account Funds to construct a test track at the University of California, Riverside, to evaluate intelligent transportation system technologies under a grant to be administered by Caltrans.

AB 262 Woods Prescribed Burning Permits Dead

Exempts persons from civil penalties when conducting prescribed burning operations on state lands under the terms of permits issued by the Department of Forestry and Fire Protection.

AB 263 Baca U.C. Riverside Demonstration Program Dead

Appropriates Federal Oil Overcharge funds for a public education demonstration program relating to mobile source emission reductions and energy saving practices.

AB 278 Escutia Children's Health Protection Vetoed

This bill would (1) require ARB to review all ambient air quality standards to determine whether the public--and specifically infants and children--is adequately protected and to revise any standard that does not do so; (2) require ARB to conduct three short-term monitoring projects by January 1, 2000, and evaluate/make recommendations on monitoring networks in nonattainment areas with respect to measuring exposure of infants and children to air pollutants; and (3) require ARB to determine whether additional airborne toxic control measures are needed to ensure protection of public health--including infants and children--and to adopt those measures, if determined necessary, by January 1, 2004.

AB 325 Baldwin California's Motorcycle Emission Standards Dead

Lowers the mileage criteria used to distinguish between a new and used motorcycle from the current 7500 mile minimum to 1350 miles. Only new motorcycles that meet California's emission standards can be legally offered for sale in California.

AB 362 Bowen Environmental Advertising Dead

Seeks to promote truth in labeling by making it unlawful for any person to represent that a consumer good is environmentally superior (e.g., made of recycled materials, biodegradable, ozone friendly) unless the consumer good meets the bill's definitions or meets definitions adopted by the Federal Trade Commission.

AB 375 Firestone Tire Recycling Dead

Changes the disposal surcharge assessed on the sale of new tires and establishes a tire recovery reimbursement program.

AB 392 Granlund Leaf Blowers/Mojave Desert Governing Board Dead

Limits local authority to set requirements on leaf blower use. The bill was gutted. Its original contents would have required that the public member on the Mojave air district governing board reside within the district's boundaries. Also eliminated the two-year limit on the public member's term.

AB 529 Baldwin State Agency Fine and Penalty Revenues Dead

Requires that fine and penalty revenues collected by state agencies be deposited into the general fund.

AB 613 Margett Telecommuting Tax Benefit Dead

Allows employers to receive a tax benefit on the equipment they purchase for their employees to use at home for telecommuting.

AB 763 Aroner Bay Area Air District Enforcement Practices Dead

Intended to address concerns of local environmental groups regarding alleged lax enforcement practices of the Bay Area Air Quality Management District.

AB 1114 Napolitano State Audit of South Coast Air District Dead

Requires the Bureau of State Audits to evaluate the South Coast district's management and fiscal performance and make recommendations to the Legislature and the district's board.

AB 1170 Kaloogian State Agency Performance Audits Dead

Requires the Bureau of State Audits to conduct performance audits of certain state agencies that issue regulations.

AB 1368 Villaraigosa Incentives for Diesel Vehicle/Engine Emissions Vetoed

Provides financial incentives to reduce or eliminate emissions of oxides of nitrogen (NOx) from diesel engines. The bill provides grants, from a fund created by the bill, for emission-reducing projects and/or makes grants to project proponents and local agencies for local administration of emission-reducing projects. This bill is an URGENCY MEASURE.

AB 1376 Baugh Consumer Product Regulations Dead

Removes the three-year limit on the sale of consumer products manufactured prior to their becoming subject to air quality regulations. Specifies civil and criminal penalties for the sale of products that violate state regulations.

AB 1393 Alquist State Agency Performance Audits Dead

Requires each state agency to conduct a performance audit of its activities and operations to identify opportunities to reduce costs and activities that are no longer necessary.

AB 1437 Cardoza Transported Air Pollution Dead

ASSEMBLY BILLS

Requires the imposition of an enhanced Smog Check program (Smog Check II) in the nine-county San Francisco Bay Area air district.

AB 1513 Cardoza Biomass Conversion Facilities Dead

Provides a \$30 per ton tax credit for tree prunings that are delivered to a biomass conversion facility.

AB 1642 Bowen Fuel Regulation Suspension Vetoed

Suspends limits on both the oxygen content and the evaporative characteristics of gasoline in order to provide a market advantage for ethanol until ARB makes several findings to justify the air quality benefits of the existing standards.

AB 1650 Richter Ethanol/Methanol Labeling Chapter 98-459

Originally removed the prohibition to use larger amounts of ethanol in gasoline unless the Board performs extensive automobile exhaust and evaporative emission tests which prove the smog-forming potential of the higher ethanol/gasoline ratio. Subsequently changed to repeal fuel labeling requirements.

AB 1671 Keeley Environmental Goals and Policy Report Dead

Earlier versions of this bill transferred the responsibility for preparing the Environmental Goals and Policy Report from the Governor to the Secretary of the Resources Agency. The bill now relates to fish and game programs. This bill is an URGENCY MEASURE.

AB 1699 Ortiz Rice Straw Burning/Particulate Pollution Dead

Requires ARB to establish an enhanced air pollution monitoring program intended to detect, identify, and forecast particulate pollution due to rice straw burning in the Sacramento Valley.

AB 1740 Richter Agricultural Burn Permit Fees Dead

Authorizes an air district to adopt or impose fees that exceed administrative costs for processing or enforcing permits applicable to specified burning activities.

AB 1914 Ashburn Smog Check Tax Credit Dead

Provides a \$50 tax credit to individuals for each vehicle that is tested in the Smog Check program.

AB 1944 Runner Fuel Penalties Chapter 98-432

Extends the January 1, 1999 sunset of the motor vehicle fuels penalty structure that was enacted in 1995 to January 1, 2003.

AB 2085 Ortiz Tax Exemption for Experimental Fuels Dead

Previously provided a tax exemption for low emission vehicles. In its newest form, the bill defines the term "experimental fuel" and exempts these fuels from the diesel fuel tax for two years. Experimental fuels would be taxed at a reduced rate of six cents (\$0.06) per gallon after

the zero-rate period.

AB 2194 Washington South Coast Motor Vehicle Registration Fee Vetoed

Extends until August 1, 2004, the authority of the South Coast air district to impose a one-dollar fee on motor vehicle registration renewals, specifically to fund projects to develop advanced transportation technology and increase the use of cleaner-burning fuels.

AB 2273 Woods Biomass Facility Cost-Shifting Strategies Chapter 98-816

Requires the Secretary of Cal/EPA, in consultation with relevant state and federal agencies, boards, commissions, and representatives of the solid-fuel biomass industry, to prepare annual reports to the Legislature on the status of policy measures for cost-shifting strategies for the biomass industry. The bill also makes changes to the Public Utilities Code that do not affect ARB or Cal/EPA.

AB 2311 Baugh Tax Credit for Smog Check Equipment Dead

Provides, until January 1, 2005, a tax credit to Smog Check service station owners to mitigate the costs of dynamometer equipment if the amount of vehicles subject to biennial inspection were to decrease by 25 percent or more as a result of a change in Smog Check law.

AB 2439 Bowen 2-Stroke Marine Engine Phase-Out Dead

Beginning in 2002, prohibits the sale of any new 2-stroke marine engine that emits unburned fuel or oil.

AB 2552 Baugh Smog Check II Dead

Reduces “ping-ponging” of cars between testing and repair facilities by allowing vehicles to be repaired and certified at new and improved test-and-repair “Gold Shield” stations. Also provides a tax credit to Smog Check service station owners to mitigate the costs of dynamometer equipment if the amount of vehicles subject to biennial inspection were to decrease by 25 percent or more as a result of a change in Smog Check law. The bill also implements a vehicle repair assistance program for low income drivers. This bill is an URGENCY MEASURE.

AB 2617 Figueroa Expeditious Listing of TACs Dead

Directs the Secretary of Cal/EPA to ensure that the process for identification and listing of toxic air contaminants and the adoption of appropriate control measures is conducted in a timely manner.

AB 2629 Brewer ARB’s Fleet Average Standard Dead

Codifies legislative intent to prohibit ARB from requiring any new vehicle emission requirements beyond a fleet average standard.

AB 2632 Thomson Rice-to-Ethanol Study Dead

Requires ARB to conduct a joint study with the Department of Food and Agriculture on the feasibility of converting rice straw to ethanol fuel.

ASSEMBLY BILLS

AB 2652 Cardoza San Joaquin Valley Agricultural Burning Program Dead

Allows the San Joaquin Valley Unified Air Pollution Control District to develop agricultural burning guidelines in consultation with ARB. Also allows the District to authorize burning on any day in the San Joaquin Valley Air Basin, regardless of whether ARB designates that day a no-burn day or a permissive-burn day.

AB 2667 Miller Socioeconomic Requirements Dead

Repeals a provision in law that requires the South Coast district to assess socioeconomic impact when it adopts, amends, or repeals a rule or regulation. The bill requires air districts to: (1) identify the universe of potentially affected sources before assessing socioeconomic impacts when adopting, amending, or repealing rules or regulations; (2) solicit comments from a prescribed percentage of the affected source; (3) undertake strategies designed to reduce emissions from all sources contributing to a particular pollutant; and (4) identify every source--except naturally occurring--of ozone, carbon monoxide, nitrogen dioxide, and sulfur dioxide that contributes to the emissions inventory.

AB 2692 Kuehl Tax Benefits for ULEVs Dead

Provides special income tax benefits for ultra low-emission vehicles (ULEVs) and zero-emission vehicles (ZEVs) through January 1, 2003.

AB 2727 Perata Greenhouse Gas Standards Dead

Requires ARB to adopt standards for greenhouse gas emissions for all fuels by December 31, 1999.

AB 2731 Perata Vehicle Fuel Toxicity Dead

Requires Cal/EPA to establish a "potency weighted water toxicity and degradation emission factor" for motor vehicle fuels and requires ARB to use the Cal/EPA factor in evaluating fuel additives.

AB 2789 Thomson Smog Check II Vetoed

Reduces "ping-ponging" of cars between testing facilities and repair shops by allowing vehicles to be repaired and certified at new and improved test-and-repair "Gold Shield" stations. Also implements a vehicle repair assistance program for low income persons and excludes the cities of Vacaville, Davis, Hemet, and San Jacinto from the Smog Check II program. This bill is an URGENCY MEASURE.

AB 2795 Oller Repeal of Smog Check II Dead

Repeals the Smog Check II program, leaving only the basic program in place.

ACR 64 Knox Federal Clean Fuel Vehicle Program Chapter 98-R-149

Resolution requesting Caltrans, CHP and DMV to immediately recognize and enforce the HOV lane exemption created in federal regulation for fleet inherently low-emission vehicles (ILEVs).

AJR 73

Olberg

The Kyoto Protocol

Dead

Memorializes the U.S. Senate to not ratify the Kyoto Protocol for reducing greenhouse gas emissions.

SENATE BILLS

apply to other commercial vehicles operating in California. Requires ARB to inspect vehicles at California – Mexico border crossings and at random areas along the border.

SB 315 Calderon Black Market Motor Vehicle Fuel Dead

Establishes new felony punishments for motor vehicle fuel bootleggers who take gasoline and diesel fuel that has been produced in compliance with ARB's stringent clean fuels standards and illegally mix in dirtier blending materials at locations that are downstream from refineries and pipeline terminals.

SB 423 Hurtt Environmental Audits Dead

Enacts the Environmental Audit Privilege and Voluntary Noncompliance Disclosure Act of 1997.

SB 432 Lewis South Coast's Commute Option Rule Chapter 98-67

Removes employers with 100-249 employees from the South Coast air district's Rule 2202 (Commute Option Rule) and repeals a requirement that the air district pass on \$1.5 million each year to local agencies. This bill is an URGENCY MEASURE; therefore it became effective immediately upon signature by the Governor (June 19, 1998).

SB 442 Brulte Guidelines for Evaluation of Health Effects Dead

Requires OEHHA to develop guidelines for the evaluation of the effects of toxic chemicals upon sensitive subgroups that are at greater risk of adverse health effect than the general population.

SB 476 Rosenthal South Coast Vehicle Registration Surcharge Dead

Extends the sunset date for a \$1 registration surcharge on vehicles collected for the South Coast Air Quality Management District on vehicles within its jurisdiction. The sunset date is extended from August 1, 1999, until July 1, 2009.

SB 598 Sher Environmental Audits Dead

Makes legislative findings and declarations regarding environmental audit programs — (1) that protection of the environment is promoted by voluntary audits to determine compliance with environmental requirements and to evaluate related management programs; (2) that reasonable incentives should be provided to encourage thorough and professional voluntary audits; and (3) that cooperation between regulators and the regulated community to achieve environmental compliance with environmental requirements is good for the environment.

SB 647 Brulte Environmental Requirements and Penalties Dead

Prohibits assessment of any penalties against any person who discloses a minor violation of environmental requirements as a result of required monitoring.

SB 649 Mountjoy Production Limits Dead

Prohibits an air district that revises its definition of Best Available Control Technology or Best Available Retrofit Technology from requiring a business to update its equipment for five years from the effective date of the business's air quality permit.

SENATE BILLS

SB 658 Sher OEHHA Scientific Peer Review Vetoed

Requires the Office of Environmental Health Hazard Assessment to prepare an annual report on the status of scientific peer review.

SB 661 O'Connell Pesticide Air Monitoring Chapter 98-274

Provides the Department of Pesticide Regulation with \$145,000 from the General Fund to implement a two-stage plan for pesticide air monitoring in the City of Lompoc, as recommended by the Lompoc Interagency Work Group. This bill is an URGENCY MEASURE, therefore it became effective immediately upon signature by the Governor (August 10, 1998).

SB 679 Mountjoy Smog Check Dead

Repeals the current "enhanced" Smog Check program and replaces it with a modified program that prohibits some of the enhancements such as centralized testing and the use of dynamometers. Also eliminates some features of the previous Smog Check program (e.g., a visual inspection). In addition, the bill makes one unrelated change to the State's "snap-idle" test. This bill is an URGENCY MEASURE.

SB 722 Alpert Emerging Technology Fund Dead

Establishes the Emerging Technology Fund within the California Economic Development Financing Authority with an executive director and advisory committee.

SB 731 Hurtt Parking Cash-Out Programs Dead

Repeals the current parking cash-out requirements in the Health and Safety Code. Also clarifies that flag burning for disposal of worn flags is not prohibited by the open burning requirements in air pollution law.

SB 775 Johannessen MTBE Study Dead

Requires ARB, in conjunction with private industry, to conduct a "study" (i.e., evaluate and summarize existing information) on using methyl tertiary butyl ether (MTBE) as an oxygenate in motor vehicle fuel. This bill is an URGENCY MEASURE.

SB 886 Knight Mojave Desert Air District Dead

Requires the Mojave Desert air district governing board to elect a chairperson every year in January.

SB 1047 Sher Cal/EPA Regulatory Implementation Vetoed

The earliest version of this bill was a spot bill regarding Cal/EPA's fulfillment of its commitments to improve public health and environmental protection. The bill now requires certain California Environmental Quality Act (CEQA) activities to be made available on the Internet. This bill is an URGENCY MEASURE.

SB 1083 Polanco Diesel Exhaust Toxicity Dead

Prohibits ARB from listing diesel exhaust as a toxic air contaminant (TAC). Also prohibits ARB from much of the activity preliminary to such a listing without following a prescribed procedure which includes an ARB report to the Legislature, a study by the Business, Transportation and Housing Agency, and a study funded by the Department of Health Services to be conducted by a nonprofit organization.

SB 1096 Brulte Trust Fund for Heavy-Duty Vehicles Dead

Creates the Air Quality Standards Attainment Trust Fund for a heavy-duty vehicle air quality improvement program to provide incentives for the introduction of cleaner heavy-duty diesel technology.

SB 1114 Solis Small Business Environmental Assistance Center Dead

Earlier versions of the bill create in the Trade and Commerce Agency the Small Business Environmental Regulatory Assistance Center to serve as a central clearinghouse for information and assistance on environmental regulatory programs affecting small businesses. The most recent version of the bill relates to the California Environmental Quality Act (CEQA).

SB 1190 Hayden Owens Lake Bed Dust Control Vetoed

Specifies that the City of Los Angeles is responsible for the cost and implementation of dust control measures for the dry Owens Lake bed contained in either (1) the Memorandum of Agreement between the Great Basin Air District and the City of Los Angeles or (2) pursuant to any order or action of the U.S. EPA. Also specifies federal air quality standards shall be achieved by December 31, 2006.

SB 1203 Hayden South Coast Airport Expansion Dead

Requires the South Coast air district to create a 15-member advisory committee for the Los Angeles International Airport expansion project. The advisory committee would study cumulative air quality impacts, heighten public awareness, and make findings and recommendations.

SB 1247 Hayden South Coast Particulate Matter Vetoed

Requires the South Coast air district to add fine particulate matter (PM 2.5) to its forecasting, reporting and notification procedures. Additionally, requires the district to make a preliminary assessment of PM 2.5 in its next air quality plan.

SB 1250 Kopp Smog Check Repair Assistance Chapter 98-601

Originally created a low-income repair assistance program for people whose vehicles fail Smog Check tests. The bill is now a vehicle registration fee bill with no air quality impacts.

SB 1275 Haynes Heavy-Duty Vehicle Inspection Program Dead

Modifies ARB's Heavy-Duty Vehicle Inspection Program by establishing protocols for smoke meters used to measure diesel exhaust. This bill is an URGENCY MEASURE.

SB 1343 Johannessen Particulate Matter from Vehicles Dead

SENATE BILLS

Requires ARB to give as much consideration to air flow enhancement devices when considering methods to reduce particulate matter air pollution as it gives to reconstituted fuel or alternative fuels.

SB 1358 Costa Bay Area Smog Check II Program Dead

Requires the imposition of an enhanced Smog Check program (Smog Check II) in the nine-county San Francisco Bay Area air district.

SB 1364 Ayala Bagley-Keene Open Meeting Act Dead

Modifies the definition of conduct that would be a misdemeanor under the Bagley-Keene Open Meeting Act.

SB 1366 Monteith Transported Air Pollution Dead

Specifies that upwind areas identified as the source of significant or overwhelming transport impacts must either reduce emissions to eliminate that impact or pay for controls in downwind areas. Also imposes Smog Check II on the upwind areas.

SB 1376 Knight Owens Lake Bed Dust Mitigation Dead

Eliminates the formal process under which the City of Los Angeles can appeal to the Air Resources Board air quality mitigation measures and fees imposed by the Great Basin Unified Air Pollution Control District. Also (1) requires (rather than allows) the District to impose mitigation measures and related fees; (2) requires that Los Angeles implement mitigation measures by May 1, 1999; and (3) provides for the recovery of any state costs related to Owens Lake cleanup from Los Angeles.

SB 1423 Mountjoy Legislative Regulatory Review Dead

Prohibits ARB from adopting, amending or repealing any regulation pertaining to vehicular or nonvehicular emissions until the action has been submitted to the Legislature and the Legislature has enacted a statute approving it. Similar restrictions are imposed on the Bureau of Automotive Repair with regard to any regulations pertaining to vehicular emissions, such as the Smog Check regulations.

SB 1543 Kelley Best Available Retrofit Control Technology Dead

Makes technical changes to existing law that requires air districts to undertake specified review prior to adopting rules or regulations to meet best available retrofit control technology (BARCT) requirements.

SB 1609 Ayala State Agency Forms Dead

Requires each state form to include a public access telephone number of the state agency charged with administering the form.

SB 1636 Haynes Tax Credits for Heavy-Duty Smoke Meters Dead

Provides a tax credit to manufacturers of ARB-approved heavy-duty smoke meters.

SB 1643 Hayden South Coast Compliance and Enforcement Program Dead

Mandates the South Coast Air Quality Management District improve inspection, compliance, and enforcement of rules for gasoline stations, other facilities that handle or produce petroleum products, marine loading terminals, and restaurants. Creates a Compliance and Enforcement Account and appropriates \$1.8 million from the Air Pollution Control Fund to implement this program.

SB 1649 Committee on Local Government Omnibus Bill Chapter 98-876

Adds definition language for the Antelope Valley Air Pollution Control District similar to language relating to other air districts that are created by name in statute.

SB 1725 Johannessen Vehicle Scrappage/Collector Cars Dead

Requires ARB to permit the sale of vehicles of interest to car collectors when the vehicles are acquired in the operation of a privately operated vehicle retirement (scrap) program.

SB 1726 Johannessen Motorcycles and All-Terrain Vehicles Dead

Prohibits ARB from adopting emission standards for on-road motorcycles until the Legislature has enacted a statute approving the regulation. Also prohibits ARB from adopting any emission standards for off-road motorcycles and all-terrain vehicles.

SB 1754 Johannessen Smog Check Chapter 98-938

Allows consumers to request a pretest under the Smog Check program. Also requires that consumers be informed about consumer rights for pretest and about the fact that a pretest may not indicate the likelihood of a vehicle passing a subsequent official inspection.

SB 1782 Thompson Vehicle License Fee Exemption Chapter 98-888

Exempts from the Vehicle License Fee the incremental cost of purchasing an alternatively fueled vehicle that is certified to the ultra-low emission vehicle (ULEV) standard or cleaner. This exemption would be in effect from January 1, 1999, to January 1, 2003.

SB 1857 Brulte Diesel Incentives Program Vetoed

Enacts a diesel incentives program and authorizes \$27.5 million in grants to be administered by ARB primarily through local air districts. In accordance with guidelines developed by ARB, funds will be directed to (1) upgrade and replace diesel technology for on-road and off-road engines, locomotives, and marine vessels, and (2) install infrastructure for alternative fueling facilities. This bill is an URGENCY MEASURE.

SB 1926 Mountjoy Fuel Component Prohibition Dead

Places liability on manufacturers and others in the distribution chain if methyl tertiary butyl ether (MTBE) is released into ground or surface water and prevents ARB from adopting regulations to require the addition of any substance to motor vehicle fuel.

SB 1941 Sher Greenhouse Gas Emissions Inventory Vetoed

SENATE BILLS

Requires the California Energy Resources Conservation and Development Commission, in consultation with ARB, to establish an inventory of the sources of greenhouse gas emissions located in the state.

SB 2077 Mountjoy Air Quality Officials' Vehicle Usage Dead

Encourages state and local air quality officials to reduce their vehicle usage and to use public transportation for 50 percent of their personal, business, and immediate family travel; prohibits these officials from using publicly-owned vehicles; and requires these officials to submit records of their personal, business, and immediate family's travel on public transportation to the Senate and Assembly Committees on Transportation.

SB 2107 O'Connell High Fuel-Efficient Vehicles Dead

Exempts, until January 1, 2003, high-fuel efficient vehicles and zero emission vehicles from sales and use taxes. Prohibits incorporation of this exemption into any local tax.

SB 2119 Hurtt Agency Reports on the Internet Dead

Requires state and local agencies to post reports to the Legislature on the Internet and notify the Legislature by electronic mail when the report is completed and posted.

SB 2185 Kelley Smog Check Chapter 98-92

Extends the period of validity of a Smog Check certificate by 90 days for auto dealers. This bill is an URGENCY MEASURE; therefore, it became effective immediately upon signature by the Governor (July 3, 1998).

SB 2198 Sher Policy Council Fuel Consultation Chapter 98-997

Requires ARB to consult and coordinate with Cal/EPA's Policy Council when considering fuel oxygenate regulations.

SB 2219 Johannessen Smog Check Dead

Revises the date defining exemption of 30-year old or older vehicles from periodic inspection from January 1, 2003, to January 3, 2003.

SCA 20 Mountjoy Smog Check Dead

Repeals the enhanced inspection and maintenance program (Smog Check II) and requires the Smog Check program to revert back to BAR 90 requirements (two speed idle test) with a \$250 repair cost limit.

SJR 13 Haynes Average Fuel Economy Standards Dead

Memorializes the President and the Congress to enact appropriate legislation to eliminate or freeze, at the current level, the federally imposed average fuel economy standards.

SJR 36 Johannessen California Fuel Permission Chapter 98-R-99

Asks Congress to permit California to implement its own reformulated gasoline rules.

CHAPTERED BILLS

Bills Chaptered in 1998

AB 117	Escutia	Demolition or Construction Debris	Chapter 98-1020
AB 1650	Richter	Ethanol/Methanol Labeling	Chapter 98-459
AB 1944	Runner	Fuel Penalties	Chapter 98-432
AB 2273	Woods	Biomass Facility Cost-Shifting Strategies	Chapter 98-816
ACR 64	Knox	Federal Clean Fuel Vehicle Program	Chapter 98-R-149
SB 270	Peace	Foreign Commercial Vehicle Inspections	Chapter 98-727
SB 432	Lewis	South Coast's Commute Option Rule	Chapter 98-67
SB 661	O'Connell	Pesticide Air Monitoring	Chapter 98-274
SB 1250	Kopp	Smog Check Repair Assistance	Chapter 98-601
SB 1649	Comm. on Local Government	Omnibus Bill	Chapter 98-876
SB 1754	Johannessen	Smog Check	Chapter 98-938
SB 1782	Thompson	Vehicle License Fee Exemption	Chapter 98-888
SB 2185	Kelley	Smog Check	Chapter 98-92
SB 2198	Sher	Policy Council Fuel Consultation	Chapter 98-997
SJR 36	Johannessen	California Fuel Permission	Chapter 98-R-99

VETOED BILLS

Bills Vetoed in 1998

AB 278	Escutia	Children's Health Protection	Vetoed
AB 1368	Villaraigosa	Incentives for Diesel Vehicle/Engine Emissions	Vetoed
AB 1642	Bowen	Fuel Regulation Suspension	Vetoed
AB 2194	Washington	South Coast Motor Vehicle Registration Fee	Vetoed
AB 2789	Thomson	Smog Check II	Vetoed
SB 658	Sher	OEHHA Scientific Peer Review	Vetoed
SB 1047	Sher	Cal/EPA Regulatory Implementation	Vetoed
SB 1190	Hayden	Owens Lake Bed Dust Control	Vetoed
SB 1247	Hayden	South Coast Particulate Matter	Vetoed
SB 1857	Brulte	Diesel Incentives Program	Vetoed
SB 1941	Sher	Greenhouse Gas Emissions Inventory	Vetoed

1998 VETOED BILLS

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BILLS CHAPTERED IN 1997

The bills chaptered during the first year of the 1997-98 Legislative Session are included in this section to provide a complete record of the new air quality laws.

1998 VETOED BILLS

AB 57 Escutia Smog Check Repair Assistance Chapter 97-804

Establishes an economic hardship extension and repair assistance program for low-income owners of vehicles that fail Smog Check.

AB 206 Hertzberg Citizen Complaints Through the Internet Chapter 97-416

Enacts the Citizen Complaint Act of 1997, which would require each state agency (to the extent feasible) to make a citizen complaint form available on the Internet by July 1, 1998, for complaints relating to the performance of that agency.

AB 208 Migden Smog Check Repair Assistance Funding Chapter 97-802

Provides for both primary and contingent funding for a program to assist low-income vehicle owners who fail Smog Check to repair their vehicles. Also establishes a \$4/year smog abatement fee for vehicles four years old or newer, which are exempted under AB 1492.

AB 292 Floyd Vapor Tests for Cargo Tank Trucks Chapter 97-84

Prohibits the Air Resources Board and local air district inspectors from climbing on top of cargo tank trucks that haul gasoline to test for vapor leaks.

AB 421 Baugh Refrigerated Trailers Chapter 97-418

Classifies refrigerated trailers as mobile sources and, in effect, preempts local air districts from permitting these sources or regulating their air pollution. The bill requires that ARB develop regulations to achieve emissions reductions from diesel engines, which power refrigerated trailers, on or before January 1, 2000.

AB 475 Pringle Annual Regulatory Fees Report Chapter 97-719

Delays the commencement date for Cal/EPA, the Resources Agency and the State Board of Equalization to submit an annual report of regulatory fees collected or assessed to the Trade and Commerce Agency.

AB 592 Kuehl MTBE Cleanup Chapter 97-814

The original version of AB 592 required the Department of Health Services to establish a primary drinking water standard for MTBE. The bill now provides for funding from the underground storage tank cleanup fund to clean up MTBE contamination in drinking water and establishes administrative responsibility for the cleanup.

AB 968 Knox Particulate Matter Monitoring Program Chapter 97-518

Requires ARB to establish a monitoring network for fine airborne particles (particulate matter) which are smaller than 2.5 microns in diameter (PM 2.5) and report to the Legislature annually on the status and results of the monitoring program.

AB 1061 Machado Air District Rule Evaluation Chapter 97-519

Requires air districts to analyze whether their proposed rules will duplicate or conflict with existing federal and state rules for the same source type or equipment. The bill also requires air districts to analyze how their proposed rules compare to their existing and proposed rules for the same source type or equipment.

AB 1188 Lempert Budget Appropriations Chapter 97-886

Contains various appropriations relating to parks and recreation, education, teacher credentialing, etc. There is one provision, however, that provides spending authority for a \$3 million extension of the California Clean Air Act fees provided for in AB 1583.

AB 1269 Granlund Diesel Fuel Pricing Chapter 97-618

Seeks to equalize the price of California diesel fuel with the price in other states by imposing a tax (about 7.25 percent) on diesel fuel purchased out of state but used in California, and by refunding the tax on fuel purchased in California and used out of state. As a tax levy, this bill would take effect immediately.

AB 1310 Wayne San Diego Air District Permit Fees Chapter 97-406

Amends existing law that limits San Diego district fee increases to 15 percent on authority to construct permits or permits to operate. Beginning January 1, 1998, the district could impose fees based on the district's actual fee-for-service calculations. Subsequently, on January 1, 1999, the district could increase permit fees by more than 15 percent, so long as the aggregate for existing categories does not exceed 15 percent in that fiscal year.

AB 1492 Baugh Smog Check II Program Changes Chapter 97-803

Makes several changes to the Smog Check II program to make it more consumer friendly. Changes include exempting vehicles for the first four years and allowing a \$450 repair cost limit for gross polluters.

AB 1571 Ducheny Budget Appropriations Chapter 97-928

Contains various appropriations relating to trial court funding, public resources, flood prevention, social services, citizen education, education, etc. There are two provisions that provide an appropriation of \$2.5 million for the Rice Straw Demonstration Project provided for in SB 318 and spending authority for a two-year extension of the California Clean Air Act fees provided for in AB 1583.

AB 1583 Shelley Clean Air Act Fees Chapter 97-713

SB 367 Sher Bay Area Motor Vehicle Surcharge Chapter 97-425

Extends until January 1, 2000 the inclusion of bicycle facility improvement projects as one of the types of programs that the Bay Area Air Quality Management District can fund with its motor vehicle registration fee revenues.

SB 368 Peace Federal Oil Overcharge Funds Chapter 97-659

Appropriates Petroleum Escrow Violation Account funds to various agencies for specific projects including electric vehicle and alternative-fueled vehicle purchases and a telecommuting center.

SB 431 Lee District Hearings Video Teleconferencing Chapter 97-786

Originally established a pilot project that would have allowed the legislative body of the San Joaquin Valley Unified Air Pollution Control District and the Southern California Association of Governments to use video teleconferencing as an alternative for all purposes in connection with any meetings within its subject matter. However, the August 25 amendments gutted the bill and changed the subject to "Local Libraries: property tax revenue."

SB 521 Mountjoy MTBE Study Chapter 97-816

Directs the University of California to conduct an environmental and human health effects study by January 1, 1999, of the gasoline additive methyl tertiary butyl ether (MTBE), and other oxygenate-additives (tertiary amyl ether--TAME; ethyl tertiary butyl ether--ETBE; and ethanol). That report shall be submitted to the Governor and serve as the basis for a certification about whether the use of MTBE, on balance, represents a significant risk to human health or the environment. After making the determination, the Governor shall take appropriate action.

SB 638 O'Connell Flag Burning Chapter 97-538

This bill would clarify that flag burning for disposal of worn flags is not prohibited by the open burning requirements in air pollution law.

SB 675 Costa Odors from Composting Facilities Chapter 97-788

Allows the exemption from nuisance regulation for odors from composting facilities to continue for four more years. Also contains a new exemption from nuisance regulations for odors that emanate from the composting of agricultural operations that were not exempted in the past.
URGENCY MEASURE.

SB 987 Sher Aerosol Paints Chapter 97-568

Prohibits ARB from adopting any regulations which would result in the ban of aerosol paints. The bill corrects an inadvertent change made to air quality law last year in which ARB was, in effect, authorized to ban aerosol paint products.

SB 1102 Alpert Board of Equalization Information Chapter 97-620

Among other things, allows the Board of Equalization to share motor fuel tax information with

1997 CHAPTERED BILLS

other governments that administer motor fuel tax laws, and to furnish information in its possession to California state agencies that are investigating violations of and enforcing non-tax laws related to motor vehicle fuels (in ARB's case, air pollution laws).

SB 1189 Hayden MTBE Contamination of Drinking Water Chapter 97-815

Originally, provided for a multimedia risk assessment of MTBE to be conducted, and authorized a "phasing out" of MTBE beginning January 1, 1999, depending on the results of that risk assessment. In its final form, it requires the Department of Health Services to establish primary and secondary drinking water standards for MTBE; calls for an upgrade of the existing database and mapping system to monitor MTBE discharges from underground gasoline storage tanks to groundwater; and creates a \$5 million fund for emergency clean-up of MTBE contamination of a drinking water supply.

SB 1273 Hurtt Communications Through Electronic Mail Chapter 97-687

Authorizes state agencies, including ARB, to send required material, information, notices, correspondence, or other communications by electronic mail rather than by United States mail, upon the request of the recipient.

SB 1305 Sher Electric Utility Restructuring Chapter 97-796

Among other things, requires the Energy Commission to issue a report to the Legislature by June 1, 1999 that assesses the air quality impacts of electric utility restructuring.

SB 1320 Sher Scientific Peer Review Chapter 97-295

This bill would require an external scientific peer review of the scientific basis of any regulation proposed for adoption by ARB or other Cal-EPA boards, departments, and offices. The peer review mechanism is to be established by an agreement with the National Academy of Sciences, University of California, California State University, similar institutions, or with a scientist or scientific group recommended by the President of the University of California.

ROSTER OF LEGISLATORS

1998 Assembly Members

<u>Name</u>	<u>Party</u>	<u>City</u>	<u>Name</u>	<u>Party</u>	<u>City</u>
Ackerman, Dick	R	Fullerton	Lempert, Ted	D	San Carlos
Aguiar, Fred	R	Chino	Leonard, Bill	R	Upland
Alby, Barbara	R	Fair Oaks	Machado, Mike	D	Linden
Alquist, Elaine	D	Santa Clara	Margett, Bob	R	Arcadia
Aroner, Dion	D	Berkeley	Martinez, Diane	D	Monterey Park
Ashburn, Roy	R	Bakersfield	Mazzoni, Kerry	D	Novato
Baca, Joe	D	Rialto	McClintock, Tom	R	Simi Valley
Baldwin, Steve	R	El Cajon	Migden, Carole	D	San Francisco
Battin, Jim	R	La Quinta	Miller, Gary	R	Diamond Bar
Baugh, Scott	R	Hunt. Beach	Morrissey, Jim	R	Anaheim
Bordonaro, Tom J., Jr.	R	Paso Robles	Morrow, Bill	R	Oceanside
Bowen, Debra	D	Mar. Del Rey	Murray, Kevin	D	Los Angeles
Bowler, Larry	R	Elk Grove	Napolitano, Grace	D	Norwalk
Brewer, Marilyn C.	R	Newp. Beach	Olberg, Keith	R	Victorville
Brown, Valerie K.	D	Sonoma	Oller, Rico	R	San Andreas
Bustamante, Cruz M.	D	Fresno	Ortiz, Deborah	D	Sacramento
Campbell, Bill	R	Villa Park	Pacheco, Rod	R	Riverside
Cardenas, Tony	D	Sylmar	Papan, Lou	D	Millbrae
Cardoza, Dennis	D	Merced	Perata, Don	D	Alameda
Cedillo, Gill	D	Los Angeles	Poochigian, Charles	R	Fresno
Cunneen, Jim	R	Cupertino	Prenter, Robert	R	Hanford
Davis, Susan	D	San Diego	Pringle, Curt	R	Garden Grove
Ducheny, Denise M.	D	San Diego	Richter, Bernie	R	Chico
Escutia, Martha M.	D	Bell	Runner, George	R	Lancaster
Figueroa, Liz	D	Fremont	Scott, Jack	D	Altadena
Firestone, Brooks	R	Los Olivos	Shelley, Kevin	D	San Francisco
Floyd, Richard	D	Wilmington	Strom-Martin, V.	D	Duncans Mills
Frusetta, Peter	R	Tres Pinos	Sweeney, Mike	D	Hayward
Gallegos, Martin	D	Baldwin Park	Takasugi, Nao	R	Oxnard
Goldsmith, Jan	R	San Diego	Thompson, Bruce	R	Fallbrook
Granlund, Brett	R	Yucaipa	Thomson, Helen	D	Davis
Havice, Sally	D	Cerritos	Torlakson, Tom	D	Antioch
Hertzberg, Robert M.	D	Sherman Oaks	Villaraigosa, Antonio	D	Los Angeles
Honda, Mike	D	San Jose	Vincent, Edward	D	Inglewood
House, George	R	Hughson	Washington, Carl	D	Paramount
Kaloogian, Howard	R	Carlsbad	Wayne, Howard	D	San Diego
Keeley, Fred	D	Boulder Creek	Wildman, Scott	D	Los Angeles
Knox, Wally	D	Los Angeles	Woods, Tom	R	Shasta
Kuehl, Sheila James	D	Santa Monica	Wright, Roderick	D	Los Angeles
Kuykendall, Steve T.	R	Long Beach			
Leach, Lynne C.	R	Walnut Creek			

1998 Senate Members

<u>Name</u>	<u>Party</u>	<u>City</u>		
Alpert, Deirdre (Dede)	D	Coronado	Lee, Barbara	D Oakland
Ayala, Ruben S.	D	Chino	(left the California Senate mid-year)	
Brulte, James	R	Cucamonga	Leslie, Tim	R Tahoe City
Burton, John	D	San Francisco	Lewis, John R.	R Orange
Calderon, Charles M.	D	Whittier	Lockyer, Bill	D Hayward
Costa, Jim	D	Fresno	Maddy, Kenneth L.	R Fresno
Craven, William A.	R	Oceanside	McPherson, Bruce	R Santa Cruz
Dills, Ralph C.	D	El Segundo	Monteith, Dick	R Modesto
Greene, Leroy F.	D	Carmichael	Mountjoy, Richard	R Monrovia
Hayden, Tom	D	Brentwood	O'Connell, Jack	D Carpinteria
Haynes, Raymond N.	R	Murietta	Peace, Steve	D El Cajon
Hughes, Teresa P.	D	Inglewood	Polanco, Richard	D Los Angeles
Hurt, Rob	R	Garden Grove	Rainey, Richard K.	R Walnut Creek
Johannessen, Maurice	R	Redding	Rosenthal, Herschel	D N. Hollywood
Johnson, Ross	R	Irvine	Schiff, Adam	D Burbank
Johnston, Patrick	D	Stockton	Sher, Byron	D Palo Alto
Karnette, Betty	D	Long Beach	Solis, Hilda	D El Monte
Kelley, David G.	R	Idyllwild	Thompson, Mike	D St. Helena
Knight, William J.	R	Palmdale	Vasconcellos, John	D Santa Clara
Kopp, Quentin L.	I	San Francisco	Watson, Diane	D Los Angeles
			Wright, Cathie	R Simi Valley
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