

AMENDED IN ASSEMBLY APRIL 17, 2006

AMENDED IN ASSEMBLY MARCH 21, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2015**

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**Introduced by Assembly Member Lieu**  
**(~~Coauthor: Assembly Member Koretz~~ *Coauthors: Assembly***  
***Members Koretz and Oropeza*)**  
**(Coauthor: Senator Kuehl)**

February 10, 2006

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An act to amend Section 40420 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 2015, as amended, Lieu. Air quality: South Coast Air Quality Management District: board membership.

(1) Existing law, the Lewis-Presley Air Quality Management Act, establishes the South Coast Air Quality Management District in those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino included within the South Coast Air Basin, and designates that district as the sole and exclusive local agency with the responsibility for comprehensive air pollution control within that basin. Existing law requires the south coast district to be governed by a district board consisting of 12 members, including 3 members appointed, one each, by the city selection committees of Orange, Riverside, and San Bernardino Counties, one member appointed by cities in the western region of the County of Los Angeles, and one member appointed by the cities in the eastern region of the County of Los Angeles. Under existing law, the specified cities in the western

and eastern regions of Los Angeles County are required to organize a city selection committee, one per region, and hold a public meeting in order to determine the appointment from each region. Existing law prescribes the cities, including Los Angeles, that comprise the western region of the County of Los Angeles, and provides that those cities not included in the western region are deemed to constitute the eastern region for the purpose of appointing members to the district board.

This bill would increase the number of members on the south coast district board from 12 to 16, ~~including 3 new members appointed, one each, by the city selection committees of Orange, Riverside, and San Bernardino Counties, and 13 by adding one new member appointed by the city council of the City of Los Angeles from its membership.~~ The bill would add the Cities of Calabasas and Malibu to, and exclude Los Angeles from, the list of cities included in the western region of the County of Los Angeles. The bill would authorize, on or after January 1, 2007, the city selection committees of the western and eastern regions of Los Angeles County to meet jointly to alter the list of cities to be included in each of the regions. Because the bill would impose additional duties on cities within the south coast district, this bill would establish a state-mandated local program. The bill would also provide that its provisions shall not be interpreted to limit the rights or terms of south coast district board members appointed as of January 1, 2007.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

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

1 SECTION 1. Section 40420 of the Health and Safety Code,  
2 as added by Section 2 of Chapter 686 of the Statutes of 2003, is  
3 amended to read:

1 40420. (a) The south coast district shall be governed by a  
2 district board consisting of ~~16~~ 13 members appointed as follows:

3 (1) One member appointed by the Governor, with the advice  
4 and consent of the Senate.

5 (2) One member appointed by the Senate Committee on Rules.

6 (3) One member appointed by the Speaker of the Assembly.

7 (4) Four members appointed by the boards of supervisors of  
8 the counties in the south coast district. Each board of supervisors  
9 shall appoint one of these members, who shall be one of the  
10 following:

11 (A) A member of the board of supervisors of the county  
12 making the appointment.

13 (B) A mayor or member of a city council from a city in the  
14 portion of the county making the appointment that is included in  
15 the south coast district.

16 (5) ~~Six~~ Three members appointed by cities in the south coast  
17 district. The city selection committees of Orange, Riverside, and  
18 San Bernardino Counties shall each appoint ~~two~~ one of these  
19 members, who shall be either a mayor or a member of the city  
20 council of a city in the portion of the county included in the south  
21 coast district.

22 (6) A member appointed by the cities of the western region of  
23 Los Angeles County, consisting of the Cities of Agoura Hills,  
24 Avalon, Beverly Hills, Calabasas, Carson, Compton, Culver City,  
25 El Segundo, Gardena, Hawthorne, Hermosa Beach, Hidden Hills,  
26 Inglewood, Lawndale, Lomita, Malibu, Manhattan Beach, Palos  
27 Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling  
28 Hills, Rolling Hills Estates, Santa Monica, Torrance, West  
29 Hollywood, and Westlake Village. These cities shall organize as  
30 a city selection committee for the purposes of subdivision (f), and  
31 shall be known as the city selection committee of the western  
32 region of Los Angeles County. The list of cities to be included in  
33 the western region may be altered as provided in subdivision (i).  
34 The member appointed shall be either a mayor or a member of  
35 the city council of a city in the western region.

36 (7) A member appointed by the cities of the eastern region of  
37 Los Angeles County, consisting of the cities in Los Angeles  
38 County that are not listed in paragraph (6) or (8). These cities  
39 shall organize as a city selection committee for the purposes of  
40 subdivision (f), and shall be known as the city selection

1 committee of the eastern region of Los Angeles County. The list  
2 of cities to be included in the eastern region may be altered as  
3 provided in subdivision (i). The member appointed shall be either  
4 a mayor or a member of the city council of a city in the eastern  
5 region.

6 (8) A member appointed by the city council of the City of Los  
7 Angeles from its membership.

8 (b) All members shall be appointed on the basis of their  
9 demonstrated interest and proven ability in the field of air  
10 pollution control and their understanding of the needs of the  
11 general public in connection with air pollution problems of the  
12 South Coast Air Basin.

13 (c) The member appointed by the Governor shall be either a  
14 physician who has training and experience in the health effects of  
15 air pollution, an environmental engineer, a chemist, a  
16 meteorologist, or a specialist in air pollution control.

17 (d) Each member shall be appointed on the basis of his or her  
18 ability to attend substantially all meetings of the south coast  
19 district board, to discharge all duties and responsibilities of a  
20 member of the south coast district board on a regular basis, and  
21 to participate actively in the affairs of the south coast district. No  
22 member may designate an alternate for any purpose or otherwise  
23 be represented by another in his or her capacity as a member of  
24 the south coast district board.

25 (e) Each appointment by a board of supervisors shall be  
26 considered and acted on at a duly noticed, regularly scheduled  
27 hearing of the board of supervisors, which shall provide an  
28 opportunity for testimony on the qualifications of the candidates  
29 for appointment.

30 (f) The appointments by cities in the south coast district shall  
31 be considered and acted on at a duly noticed meeting of the  
32 applicable city selection committee, which shall meet in a  
33 government building and provide an opportunity for testimony  
34 on the qualifications of the candidates for appointment. Each  
35 appointment shall be made by not less than a majority of all the  
36 cities in the portion of the county included in the south coast  
37 district having not less than a majority of the population of all the  
38 cities in the portion of the county included in the south coast  
39 district. Population shall be determined on the basis of the most  
40 recent verifiable census data developed by the Department of

1 Finance. Persons residing in unincorporated areas or areas of a  
2 county outside the south coast district shall not be considered for  
3 the purposes of this subdivision.

4 (g) The members appointed by the Senate Committee on Rules  
5 and the Speaker of the Assembly shall have one or more of the  
6 qualifications specified in subdivision (c) or shall be a public  
7 member. None of those appointed members may be a locally  
8 elected official.

9 (h) All members shall be residents of the district.

10 (i) On or after January 1, 2007, the city selection committee of  
11 the western region of Los Angeles County organized under  
12 paragraph (6) of subdivision (a) and the city selection committee  
13 of the eastern region of Los Angeles County organized under  
14 paragraph (7) of subdivision (a) may meet jointly in order to alter  
15 the list of named cities to be included in each region.

16 SEC. 2. Nothing in this act shall be interpreted to limit the  
17 rights or terms of south coast district board members appointed  
18 as of January 1, 2007.

19 SEC. 3. If the Commission on State Mandates determines that  
20 this act contains costs mandated by the state, reimbursement to  
21 local agencies and school districts for those costs shall be made  
22 pursuant to Part 7 (commencing with Section 17500) of Division  
23 4 of Title 2 of the Government Code.