

Introduced by Senator Berryhill

February 25, 2015

An act to amend Section 21190 of the Public Resources Code, relating to environmental protection.

LEGISLATIVE COUNSEL'S DIGEST

SB 389, as introduced, Berryhill. California Environmental Protection Program: funding.:

Existing law establishes the California Environmental Protection Program which provides funding, from fees and other moneys in the California Environmental License Plate Fund, upon appropriation, for various environmental protection purposes including, among other things, projects and programs related to pollution control, land acquisitions for natural areas and ecological reserves, environmental education, the protection of wildlife and habitat, and climate change research.

This bill would make nonsubstantive changes to those provisions.

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

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

1 SECTION 1. Section 21190 of the Public Resources Code is
2 amended to read:
3 21190. There is in this state the California Environmental
4 Protection Program, which shall be concerned with the preservation
5 and protection of California's environment. In this ~~connection~~
6 regard, the Legislature hereby finds and declares that, since the
7 inception of the program pursuant to the Marks-Badham

1 Environmental Protection and Research Act, the Department of
2 Motor Vehicles has, in the course of issuing environmental license
3 plates, consistently informed potential purchasers of those plates,
4 by means of a detailed brochure, of the manner in which the
5 program functions, the particular purposes for which revenues
6 from the issuance of those plates can lawfully be expended, and
7 examples of particular projects and programs that have been
8 financed by those revenues. Therefore, because of this
9 representation by the Department of Motor Vehicles, purchasers
10 come to expect and rely that the moneys paid by them will be
11 expended only for those ~~particular~~ *specific* purposes, which results
12 in an obligation on the part of the state to expend the revenues
13 only for those ~~particular~~ *specific* purposes.

14 Accordingly, all funds expended pursuant to this division shall
15 be used only to support identifiable projects and programs of state
16 agencies, cities, cities and counties, counties, districts, the
17 University of California, private nonprofit environmental and land
18 acquisition organizations, and private research organizations that
19 have a clearly defined benefit to the people of the State of
20 California and that have one or more of the following purposes:

21 (a) The control and abatement of air pollution, including all
22 phases of research into the sources, dynamics, and effects of
23 environmental pollutants.

24 (b) The acquisition, preservation, restoration, or any combination
25 thereof, of natural areas or ecological reserves.

26 (c) Environmental education, including formal school programs
27 and informal public education programs. The State Department of
28 Education may administer moneys appropriated for these programs,
29 but shall distribute not less than 90 percent of moneys appropriated
30 for the purposes of this subdivision to fund environmental
31 education programs of school districts, other local schools, state
32 agencies other than the State Department of Education, and
33 community organizations. Not more than 10 percent of the moneys
34 appropriated for environmental education may be used for State
35 Department of Education programs or defraying administrative
36 costs.

37 (d) Protection of nongame species and threatened and
38 endangered plants and animals.

39 (e) Protection, enhancement, and restoration of fish and wildlife
40 habitat and related water quality, including review of the potential

1 impact of development activities and land use changes on that
2 habitat.

3 (f) The purchase, on an opportunity basis, of real property
4 consisting of sensitive natural areas for the state park system and
5 for local and regional parks.

6 (g) Reduction or minimization of the effects of soil erosion and
7 the discharge of sediment into the waters of the Lake Tahoe region,
8 including the restoration of disturbed wetlands and stream
9 environment zones, through projects by the California Tahoe
10 Conservancy and grants to local public agencies, state agencies,
11 federal agencies, and nonprofit organizations.

12 (h) Scientific research on the risks to California's natural
13 resources and communities caused by the impacts of climate
14 change.

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