

AIR QUALITY MITIGATION BY GOVERNMENT ENTITIES

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Patrice M. Arent

Senate Sponsor: Mark B. Madsen

LONG TITLE

General Description:

This bill requires an agency or school district to report on air quality mitigation efforts and to develop, report on, and implement an air quality mitigation plan.

Highlighted Provisions:

This bill:

- ▶ subject to certain exceptions, requires an agency or school district to:
 - report on air quality mitigation efforts currently used by the agency or school district; and
 - develop and report on a plan that the agency or school district will implement, within one year, to mitigate the emission of air pollutants.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

63G-17-101, Utah Code Annotated 1953

63G-17-102, Utah Code Annotated 1953

63G-17-201, Utah Code Annotated 1953

63G-17-202, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

30 Section 1. Section **63G-17-101** is enacted to read:

31 **CHAPTER 17. AIR QUALITY MITIGATION**

32 **Part 1. General Provisions**

33 **63G-17-101. Title.**

34 (1) This chapter is known as "Air Quality Mitigation."

35 (2) This part is known as "General Provisions."

36 Section 2. Section **63G-17-102** is enacted to read:

37 **63G-17-102. Definitions.**

38 As used in this chapter:

39 (1) "Agency" means:

40 (a) the House of Representatives;

41 (b) the Senate;

42 (c) a staff office of the Legislature;

43 (d) a department in the executive branch of state government;

44 (e) the Judicial Council; or

45 (f) a state institution of higher education.

46 (2) "Air pollutant" is as defined in 42 U.S.C. Sec. 7602(g).

47 (3) "Designated county" means:

48 (a) Salt Lake County;

49 (b) Davis County;

50 (c) Utah County;

51 (d) Weber County;

52 (e) Box Elder County;

53 (f) Cache County;

54 (g) Duchesne County; or

55 (h) Uintah County.

56 (4) "Mitigation efforts" means measures taken to reduce the emission of air pollutants,

57 including:

- 58 (a) flexible work schedules to reduce driving during peak times;
- 59 (b) telecommuting;
- 60 (c) electronic communication, including teleconferencing;
- 61 (d) encouraging ride sharing;
- 62 (e) encouraging use of public or alternative forms of transportation;
- 63 (f) energy conservation;
- 64 (g) using alternative energy sources;
- 65 (h) recycling and using recycled products;
- 66 (i) using non-aerosol products;
- 67 (j) reducing idling;
- 68 (k) low-maintenance landscaping; or
- 69 (l) other technology that may be used, or measures that may be taken, to reduce the
- 70 emission of air pollutants.

71 Section 3. Section **63G-17-201** is enacted to read:

72 **Part 2. Air Quality Mitigation by Agencies and School Districts**

73 **63G-17-201. Title.**

74 This part is known as "Air Quality Mitigation by Agencies and School Districts."

75 Section 4. Section **63G-17-202** is enacted to read:

76 **63G-17-202. Air quality mitigation report and plan.**

77 (1) Except as provided in Subsection (2), and in accordance with Subsection (3):

78 (a) on or before July 1, 2013, each school district shall submit to the State Board of

79 Education, by email, a report on the mitigation efforts currently being used by the school

80 district;

81 (b) on or before August 1, 2013:

82 (i) the State Board of Education shall submit to the Economic Development Task

83 Force, by email, a summary report of the reports received under Subsection (1)(a); and

84 (ii) each agency shall submit to the Economic Development Task Force, by email, a

85 report on the mitigation efforts currently being used by the agency;

86 (c) on or before August 1, 2013, each school district shall develop and submit to the
87 State Board of Education, by email, a plan that describes the mitigation efforts that the school
88 district will implement, within one year after the day on which the plan is submitted, to:

89 (i) reduce the emission of air pollutants on a regular basis; and
90 (ii) reduce the emission of air pollutants on a day for which the Division of Air Quality
91 issues an air quality action alert; and

92 (d) on or before September 1, 2013:

93 (i) the State Board of Education shall submit to the Economic Development Task
94 Force, by email, a summary of the plans received under Subsection (1)(c); and

95 (ii) each agency shall develop and submit to the Economic Development Task Force,
96 by email, a plan that describes the mitigation efforts that the agency will implement within one
97 year after the day on which the plan is submitted, to:

98 (A) reduce the emission of air pollutants on a regular basis; and

99 (B) reduce the emission of air pollutants on a day for which the Division of Air Quality
100 issues an air quality action alert.

101 (2) (a) A school district is exempt from the provisions of this section if:

102 (i) the school district is not, in whole or in part, within a designated county; and

103 (ii) the school district's employees do not reside within a designated county.

104 (b) A report or plan that an agency is required to submit under this section is not
105 required to contain information in relation to a designated county where an employee of the
106 agency does not reside or work.

107 (3) A plan described in Subsection (1)(c) or (d) shall include information regarding
108 additional funds, if any, that are needed in order to implement all or a portion of the plan.