

ASSEMBLY BILL

No. 1257

Introduced by Assembly Member Knight

February 18, 2011

An act to amend Section 39510 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1257, as introduced, Knight. State Air Resources Board: membership.

Existing law establishes in the California Environmental Protection Agency the State Air Resources Board, which is responsible for the control of emissions from motor vehicles and is designated the air pollution control agency for all purposes set forth in federal law. Existing law requires the state board to consist of 11 members appointed based on certain qualifications.

This bill would make technical, nonsubstantive changes to these requirements regarding the membership of the state board, and would delete obsolete 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 39510 of the Health and Safety Code is
- 2 amended to read:
- 3 39510. (a) The State Air Resources Board is continued in
- 4 existence in the California Environmental Protection Agency. The
- 5 state board shall consist of 11 members.

1 (b) The members shall be appointed by the Governor, with the
2 consent of the Senate, on the basis of their demonstrated interest
3 and proven ability in the field of air pollution control and their
4 understanding of the needs of the general public in connection
5 with air pollution problems. Six members shall have the following
6 qualifications:

7 (1) One member shall have training and experience in
8 automotive engineering or closely related fields.

9 (2) One member shall have training and experience in
10 chemistry, meteorology, or related scientific fields, including
11 agriculture or law.

12 (3) One member shall be a physician and surgeon or an
13 authority on health effects of air pollution.

14 (4) Two members shall be public members.

15 (5) One member shall have the qualifications specified in
16 paragraph (1), (2), or (3) or shall have experience in the field of
17 air pollution control.

18 (c) Five members shall be board members from districts who
19 shall reflect the qualitative requirements of subdivision (b) to the
20 extent practicable. Of these five members, one shall be a board
21 member from the south coast district, one shall be a board member
22 from the bay district, one shall be a board member from the San
23 Joaquin Valley Unified Air Pollution Control District ~~or, if the~~
24 ~~unified district is abolished, from the San Joaquin Valley Air~~
25 ~~Quality Management District if created pursuant to Section 5 of~~
26 ~~Chapter 915 of the Statutes of 1994,~~ one shall be a board member
27 from the San Diego County Air Pollution Control District, and
28 one shall be a board member of any other district.

29 (d) Any vacancy shall be filled by the Governor within 30 days
30 of the date on which it occurs. If the Governor fails to make an
31 appointment for any vacancy within the 30-day period, the Senate
32 Committee on Rules may make the appointment to fill the vacancy
33 in accordance with this section.

34 (e) While serving on the state board, all members shall exercise
35 their independent judgment as officers of the state on behalf of the
36 interests of the entire state in furthering the purposes of this
37 division. ~~No~~ A member of the state board shall *not* be precluded
38 from voting or otherwise acting upon any matter solely because
39 that member has voted or acted upon the matter in his or her
40 capacity as a member of a district board, except that no member

1 of the state board who is also a member of a district board shall
2 participate in any action regarding his or her district taken by the
3 state board pursuant to Sections 41503 to 41505, inclusive.

4 ~~(f) Notwithstanding subdivision (e) of Section 1 of Chapter~~
5 ~~1201 of the Statutes of 1991, this section shall become operative~~
6 ~~on January 1, 1994.~~

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