

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 21, 2010
POSITION: Neutral

BILL NUMBER: AB 2328
AUTHOR: R. Niello

BILL SUMMARY: State Air Resources Board: Public Membership

Existing law establishes an 11 member Air Resource Board (Air Board), with specified qualifications, within the California Environmental Protection Agency (CalEPA). The Air Board is responsible for controlling emissions from mobile and stationary sources as well as enforcing federal air pollution regulations.

This bill would require one of the members of the Air Board to be the current or former owner of a small business, as defined in the Government Code. The bill's provisions would sunset January 1, 2016.

FISCAL SUMMARY

Air Board staff state that this bill would not have a fiscal impact on the Air Board. The Department of Finance concurs.

SUMMARY OF CHANGES

Amendments to this bill since our analysis of the April 19, 2010, version are minor and do not alter our position. The bill has been amended to specify that the owner of a small business may be a current or past owner of a small business, and to sunset that requirement, absent the enactment of a future statute that extends that date, on January 1, 2016.

COMMENTS

The Department of Finance is neutral on the bill, although we note that the need to place this particular requirement in statute is unclear. The bill is intended, by explicitly requiring one of the members of the Air Board to be a current or former owner of a small business, to acknowledge the impact that Air Board regulations may have on the small business community.

Under existing law, the Air Board consists of 11 members with specified experience and expertise who are appointed by the Governor and are subject to confirmation by the Senate. With the exception of the chair, all other members are part-time positions.

This bill would require one of the members of the Air Board be the current or former owner of a small business, generally defined in law as an independently owned and operated business that is not dominant in its field of operation, with its principal office located in California, and which has 100 or fewer employees.

Analyst/Principal (0623) K. DaRosa	Date	Program Budget Manager Karen Finn	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)

AUTHOR

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Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP							
	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	
3900/Air Res Bd	SO	No		----- No/Minor Fiscal Impact -----					0115
<u>Fund Code</u>	<u>Title</u>								
0115	Air Pollution Control Fund								