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**Fiscal Note****Division of Air Quality - Bond for Stay of an Order***22-Feb-06***Bill Number: HB0259S02***5:10 PM*

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**State Impact**

Provisions of this bill allow a person to file a stay of the executive secretary's order and require a bond be posted. Current staff does not have the expertise to administer or evaluate those bonding requirements. It is estimated to cost \$16,900 to acquire that expertise. After the initial cost estimated annual expenses are limited to \$1,000 to oversee judicial reviews of aggrieved parties. The bill establishes that a fee be charged to offset the costs of administration. To date the Department of Environmental Quality has not had anyone request a stay of the executive secretary's orders and will not develop the expertise required to administer and evaluate bonding requirements of this bill until there is a request for a stay. At that time the Department will require an appropriation of the \$16,900 and will implement a fee to offset the cost. It is unknown at this time the related costs of projects that might be challenged and how much bond would be required.

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**Individual and Business Impact**

Individuals and businesses that file a motion for a stay of the Air Quality Board's order will be required to pay fees and post bond for related costs of projects that might be challenged. Fees for the initial stay request will be \$16,900 and it is unknown at this time the size of bond that might be required.

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**Office of the Legislative Fiscal Analyst**