

Representative Timothy D. Hawkes proposes the following substitute bill:

AIR QUALITY POLICY ADVISORY BOARD

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jani Iwamoto

House Sponsor: Christine F. Watkins

LONG TITLE

General Description:

This bill addresses the operation of the Air Quality Policy Advisory Board.

Highlighted Provisions:

This bill:

- ▶ modifies provisions related to the Air Quality Policy Advisory Board; and
- ▶ extends the sunset date of the Air Quality Policy Advisory Board.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

19-2a-102, as renumbered and amended by Laws of Utah 2018, Chapter 120

63I-1-219, as last amended by Laws of Utah 2020, Chapters 27 and 235

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

Section 1. Section **19-2a-102** is amended to read:

19-2a-102. Air Quality Policy Advisory Board created -- Composition --



26 **Responsibility -- Terms of office -- Compensation.**

27 (1) There is created the Air Quality Policy Advisory Board consisting of the following
28 [~~10~~] 12 voting members:

- 29 (a) two members of the Senate, appointed by the president of the Senate;
- 30 (b) three members of the House of Representatives, appointed by the speaker of the
31 House of Representatives;
- 32 (c) the director;
- 33 (d) one representative of industry interests, appointed by the president of the Senate;
- 34 (e) one representative of business or economic development interests, appointed by the
35 speaker of the House of Representatives, who has expertise in air quality matters;
- 36 (f) one representative of the academic community, appointed by the governor, who has
37 expertise in air quality matters; [~~and~~]
- 38 (g) one representative of a nongovernmental organization, appointed by the governor,
39 who:
 - 40 (i) represents community interests;
 - 41 (ii) does not represent industry or business interests; and
 - 42 (iii) has expertise in air quality matters[~~:-~~];
- 43 (h) one representative of the general public who has expertise in air quality matters
44 appointed by the speaker of the House of Representatives; and
 - 45 (i) one representative of the general public who has expertise in air quality matters
46 appointed by the president of the Senate.

47 (2) The Air Quality Policy Advisory Board shall:
48 (a) seek the best available science to identify legislative actions to improve air quality;
49 (b) identify and prioritize potential legislation and funding that will improve air
50 quality; and
51 (c) make recommendations to the Legislature on how to improve air quality in the
52 state.

53 (3) (a) Except as required by Subsection (3)(b), members appointed under Subsections
54 (1)(d)[~~,-(e), (f), and (g)~~] through (i) are appointed to serve four-year terms.

55 (b) Notwithstanding the requirements of Subsection (3)(a), the governor, president of
56 the Senate, and speaker of the House of Representatives shall, at the time of appointment or

57 reappointment, adjust the length of terms to ensure that the terms of members are staggered so
58 that approximately half of the advisory board is appointed every two years.

59 (c) When a vacancy occurs in the membership for any reason, the replacement shall be
60 appointed for the unexpired term.

61 (4) The advisory board shall elect one member to serve as chair of the advisory board
62 for a term of one year.

63 (5) (a) Six members of the advisory board constitutes a quorum of the advisory board.

64 (b) The action of the majority of the advisory board when a quorum is present is the
65 action of the advisory board.

66 [~~5~~] (6) Compensation for a member of the advisory board who is a legislator shall be
67 paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3,
68 Legislator Compensation.

69 [~~6~~] (7) A member of the advisory board who is not a legislator may not receive
70 compensation or benefits for the member's service, but may receive per diem and travel
71 expenses in accordance with:

72 (a) Section 63A-3-106;

73 (b) Section 63A-3-107; and

74 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
75 63A-3-107.

76 [~~7~~] (8) The department shall provide staff support for the advisory board.

77 Section 2. Section 63I-1-219 is amended to read:

78 **63I-1-219. Repeal dates, Title 19.**

79 (1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, 2029.

80 (2) Section 19-2a-102 is repealed July 1, [2021] 2026.

81 (3) Section 19-2a-104 is repealed July 1, 2022.

82 (4) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, 2024.

83 (5) Title 19, Chapter 5, Water Quality Act, is repealed July 1, 2029.

84 (6) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1,
85 2029.

86 (7) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed July
87 1, 2030.

88 (8) Title 19, Chapter 6, Part 4, Underground Storage Tank Act, is repealed July 1,
89 2028.

90 (9) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1, 2026.

91 (10) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1, 2029.

92 (11) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1, 2030.

93 (12) Title 19, Chapter 6, Part 10, Mercury Switch Removal Act, is repealed July 1,
94 2027.