
THIRD READING

Bill No: AB 471
Author: Hart (D), et al.
Amended: 7/17/25 in Senate
Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 6-0, 6/18/25
AYES: Blakespear, Valladares, Dahle, Hurtado, Menjivar, Pérez
NO VOTE RECORDED: Gonzalez, Padilla

SENATE LOCAL GOVERNMENT COMMITTEE: 5-1, 7/16/25
AYES: Durazo, Choi, Arreguín, Laird, Wiener
NOES: Seyarto
NO VOTE RECORDED: Cabaldon

ASSEMBLY FLOOR: 66-2, 4/10/25 - See last page for vote

SUBJECT: County air pollution control districts: Antelope Valley Air Quality
Management District: board members: compensation

SOURCE: Author

DIGEST: This bill (1) allows 12 air districts to set expense reimbursement and per diem compensation levels for board members of up to \$200 per day (not to exceed \$7,200 a year) and (2) permits air district boards to approve annual increases up to certain amounts going forward.

ANALYSIS:

Existing law:

- 1) Requires a county board of supervisors to serve as the ex officio air board of their county, except in cases where a county is part of a multi-county air pollution control district (APCD) or forms a single-county APCD involving city elected officials (Health & Safety Code (HSC) §40100).

- 2) Allows two or more contiguous counties to create a unified or multi-county APCD, sometimes referred to as an air quality management district (AQMD) that may include non-elected officials. Members of unified APCDs or AQMDs can receive compensation if their boards elect to provide it under the following guidelines (HSC §40150):
 - a) Each board member can be reimbursed for all actual and necessary expenses incurred while performing board duties;
 - b) Each board member can receive up to \$200 per day in per diem compensation while engaged in board business, provided the compensation level is set during an open, regular meeting;
 - c) The annual compensation level is capped at \$7,200;
 - d) A board can increase those pay levels annually by 5% (for any reason) or up to 10% (to match increases in inflation), provided the board does so in an open, regular meeting; and
 - e) A board cannot approve any automatic future compensation increases.
- 3) Allows counties to create a single-county APCD whose board – with one exception – consists solely of people who are elected mayors and/or city councilmembers and county supervisors and must include at least one mayor or city councilmember and one county supervisor. With the exception of the San Diego County APCD (SDAPCD), no compensation is provided to any board members of a single-county APCD (HSC §40100.5).
- 4) Establishes the seven-member Antelope Valley Air Quality Management District (AVAQMD). It consists of two members of the Lancaster City Council, two members of the Palmdale City Council, two people appointed by the Los Angeles County Board of Supervisors who represent a majority of the Board's Antelope Valley district, and one public member appointed by the other six board members. No compensation is paid to these members (HSC §42310).
- 5) Establishes the 11-member SDAPCD whose members can be paid up to \$200 per day – not to exceed \$2,000 per month – to attend meetings and conduct SDAPCD business, and can be reimbursed 100% for actual and necessary expenses. The SDAPCD Board can increase those pay levels annually by 5% (for any reason) or up to 10% (to match increases in inflation), provided they do so in an open, regular meeting. The SDAPCD cannot approve any automatic future compensation increases (HSC §40100.6).

This bill:

- 1) Allows the state's 11 single-county APCDs and the AVAQMD to adopt a compensation structure that mirrors the structure unified APCDs and AQMDs can adopt. Specifically:
 - a) Each APCD board member can be reimbursed for all actual and necessary expenses incurred while performing board duties;
 - b) Each board member can receive up to \$200 per day in per diem compensation while engaged in board business, provided the compensation level is set during an open, regular meeting;
 - c) The annual compensation level is capped at \$7,200;
 - d) An APCD board can increase those pay levels annually by 5% (for any reason) or up to 10% (to match increases in inflation), provided the board does so in an open, regular meeting; and
 - e) An APCD board cannot approve any automatic future compensation increases.
- 2) Prohibits single-county APCDs and AQMDs, as well as the AVAQMD, from providing any compensation or reimbursement for expenses to a member who is compensated or reimbursed for their air district work by another entity.
- 3) Requires single county APCDs and AQMDs, as well as the AVAQMD, that vote to compensate members to submit a report to the Legislature within three years of beginning the compensation. The report must assess whether providing compensation changed the composition of the board membership and whether it improved the engagement and ability of board members to carry out their responsibilities.

Background

- 1) *Attacking Air Pollution.* California's efforts to protect the public from the harmful effects of air pollution and help mitigate the effects of climate change involve federal, state, and local governments. The statewide California Air Resources Board (CARB) works with the U.S. Environmental Protection Agency and spearheads the state's non-vehicular air pollution efforts through 35 APCDs and AQMDs (also referred to more generally as "air districts").
- 2) *Local Air Districts.* CARB oversees the state's 35 air districts, which adopt and enforce rules and regulations to achieve and maintain state and federal air quality standards. State law spells out the membership of the air district boards,

but there are many variations. Some are county-specific, while others are regional entities with representation from more than one county. Some entities have their own specific governing statutes and some boards include public members, while others are restricted solely to elected officials who represent areas of the district.

- 3) *Show Me The Money*. Air districts generally receive funding from grants, subventions, permit fees, penalties, and/or a surcharge or fee on motor vehicles registered in the district. If these funding sources don't provide a district with the money needed to meet its expenses, an air district can levy an annual per capita assessment on those cities that have a member on the air district board and on the county or counties included within the district. Any annual per capita assessment imposed on the cities and/or counties included in a district must be imposed on an equitable per capita basis.

Comments

- 1) *Purpose of this bill*. According to the author, "Assembly Bill 471 will help increase participation within local air district boards by providing equitable compensation to board members. Specifically, the bill will allow certain county air districts to provide per diem compensation to board members, while setting compensation limits and prohibiting automatic future increases. AB 471 will facilitate broader and more diverse participation on air district boards. Better financial incentives can attract a wider range of candidates from diverse backgrounds who may have been discouraged from serving due to the financial burden."
- 2) *Different Types of Air District Boards*. There are different types of air district boards in statute, though the lines separating them aren't always crystal clear. Generally speaking, there are:
 - Single-county districts where the air district board consists solely of the five members of the county board of supervisors. There are 11 such boards in the state. These boards are not affected by this bill, and the board members receive no additional compensation beyond what they are paid as a member of a county board of supervisors.
 - Single-county districts where the air district board consists solely of city councilmembers and/or city mayors, and members of the county board of supervisors – and does not include any public members. There are 11 such boards in the state and these boards are all affected by this bill.

- A partial-county district – the Antelope Valley AQMD – which is in northern Los Angeles County but does not overlap with the South Coast AQMD. Its board includes four city councilmembers, two members of the Los Angeles County Board of Supervisors, and one public member and is also affected by this bill.
- Unified air districts made up of two or more counties where the board consists of city councilmembers or city mayors and members of a county board of supervisors – and may include members of the public. There are eight such boards in the state and under AB 2522 (W. Carrillo, Chapter 406, Statutes of 2024), they were given the authority to roughly double the compensation provided to board members.
- Separate statute air districts. These can be multi-county or single-county air districts and may or may not include public members. The only things they have in common are (a) they were each created by an individual statute specifying their exact membership; (b) their board members receive compensation; and (c) they can be compensated at levels higher than unified air district board members and at levels higher than what is proposed in this bill. There are four such boards in the state – South Coast AQMD, Bay Area AQMD, SDACPD, and the Sacramento Metropolitan AQMD – and like unified air districts, they were given the authority under AB 2522 (W. Carrillo) to roughly double the compensation paid to board members.

3) *You Look So Familiar, Have We Met Before?* Last year, AB 2522 (W. Carrillo) was enacted to allow unified and separate statute air districts to increase their per diem compensation levels.

For the eight unified air districts, AB 2522 authorized them to raise the daily per diem from \$100 to \$200, with the annual cap doubling from \$3,600 to \$7,200.

For the four special statute air districts, AB 2522 authorized:

- The Bay Area AQMD to quadruple its annual cap from \$6,000 to \$24,000 while holding the daily maximum at \$200 and eliminating a \$100 per meeting maximum option;
- The South Coast AQMD and SDAPCD to double their daily maximums from \$100 to \$200 and double their annual maximums from \$12,000 to \$24,000; and
- The Sacramento Metropolitan AQMD to double its daily maximum from \$100 to \$200 and its annual maximum from \$6,000 to \$12,000.

This measure gives the 11 single-county air districts and the AVAQMD the ability to establish compensation levels for their board members set at a maximum of \$200 per day and \$7,200 per year.

The districts affected by this bill are those in Amador, Butte, Eastern Kern, Lassen, Northern Sonoma, Placer, San Luis Obispo, Santa Barbara, Shasta, Siskiyou, and Ventura counties, along with the AVAQMD.

- 4) *Will This Really Increase Equity & Diversity Participation?* The author and some proponents of AB 471 feel allowing air district board members to be compensated could attract a more diverse pool of candidates, including those from underrepresented communities who today may not be applying to serve as a board member due to the lack of compensation.

As noted above, in the single-county air districts affected by this bill, the board members are exclusively elected officials – they can only serve on an air district board because they have been elected as a city mayor, a city councilmember, or a county supervisor.

Now, it is certainly possible – and in some cases, highly likely – an elected official may not want to volunteer to serve on an air district board without additional compensation. This could be due to the additional work and time commitment involved, the additional travel expenses they may incur to attend meetings, or other reasons.

However, it should be noted the diversity this bill could achieve may be based solely on where a person is located in a county and/or their prior experiences, since the statute still requires all board members to be elected city councilmembers, mayors or members of a board of supervisors.

Other air districts, even those that compensate board members, have chosen (by virtue of their enabling statutes) to increase the diversity of their membership by having non-elected people on their boards.

For example, the SDAPCD has three public members on its 11-member board:

- One must be a practicing physician or public health professional who specializes in the health effects of air pollution on vulnerable populations;
- One must be a person representing environmental justice interests and who works directly with communities in the SDAPCD that are most significantly burdened by, and vulnerable to, high levels of pollution, including

communities with diverse racial and ethnic populations and communities with low-income populations; and

- One must be a person with a scientific or technical background in air pollution, such as an environmental engineer, chemist, meteorologist, or air pollution specialist.

5) *What Is The Right Level of Compensation?* Setting up the appropriate per diem structure that will simultaneously encourage more people to apply to be an air district board member, appropriately pay them for the additional work they are doing, and not overburden taxpayers who are, directly or indirectly, financing the pay structure, is not an exact science.

AB 471 models its structure – the maximum pay levels and potential increases, how any increases can be approved, and the ban on automatic pay increases – on what is already in statute for many other air districts.

It may be valuable to crack out the abacas to see how the pay levels set forth in the bill could rise over time. Assuming an air district sets the maximum annual pay cap at \$7,200 and assuming it approves a maximum 10% increase each year (which can only occur if the inflation level set by the Consumer Price Index is 10% or higher each year), the annual compensation would change as follows:

- Year 1 -- \$7,200
- Year 2 -- \$7,920
- Year 5 -- \$10,541.52
- Year 10 -- \$16,977.22
- Year 15 -- \$27,341.99

Alternatively, assuming an air district sets the maximum annual pay cap at \$7,200 and assuming it approves a maximum 5% increase each year (which is permitted under the bill for any reason), the annual compensation would change as follows:

- Year 1 -- \$7,200
- Year 2 -- \$7,560
- Year 5 -- \$8,751.65
- Year 10 -- \$11,169.57
- Year 15 -- \$14,255.52

Whether the balance put forth in this bill achieves the perfect Goldilocks pay balance (not too high, not too low, but just right) is likely in the eye of the beholder.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 8/13/25)

California Air Pollution Control Officers Association (Sponsor)
 Antelope Valley Air Quality Management District
 Butte County Air Quality Management District
 Eastern Kern Air Pollution Control District
 Northern Sonoma County Air Pollution Control District
 Placer County Air Pollution Control District
 San Luis Obispo County Air Pollution Control District
 Santa Barbara County Air Pollution Control District
 Ventura County Air Pollution Control District

OPPOSITION: (Verified 8/13/25)

None received

ASSEMBLY FLOOR: 66-2, 4/10/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Carrillo, Castillo, Connolly, Davies, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Pacheco, Papan, Patel, Pellerin, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio, Patterson

NO VOTE RECORDED: Bauer-Kahan, Calderon, Chen, Gallagher, Haney, Hoover, Ortega, Petrie-Norris, Celeste Rodriguez, Sanchez, Tangipa

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