

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Bradford**

A Bill

ACT 145 OF 1993
SENATE BILL 267

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 14-229-101 TO PROVIDE THAT
9 THE STATE CONSERVATIONIST OF THE USDA SOIL CONSERVATION
10 SERVICE, OR HIS DESIGNEE, SHALL SERVE AS A MEMBER OF THE
11 INDIVIDUAL SEWAGE DISPOSAL SYSTEM ADVISORY COMMITTEE; TO
12 CHANGE THE REFERENCES TO THE DIVISION OF SANITARIAN
13 SERVICES OF THE DEPARTMENT OF HEALTH TO READ THE PROGRAM
14 ADMINISTRATOR OF THE ENVIRONMENTAL PROGRAM SECTION OF THE
15 DIVISION OF ENVIRONMENTAL HEALTH PROTECTION OF THE
16 DEPARTMENT OF HEALTH; AND FOR OTHER PURPOSES."

Subtitle

18 **"STATE CONSERVATIONIST OF THE USDA SOIL**
19 **CONSERVATION SERVICE SHALL SERVE AS MEMBER OF**
20 **INDIVIDUAL SEWAGE DISPOSAL SYSTEM ADVISORY**
21 **COMMITTEE."**

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24 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:**

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26 **SECTION 1. Arkansas Code 14-229-101 is hereby amended to read as follows:**

27 **"14-229-101. Individual Sewage Disposal Systems Advisory Committee - Creation -**
28 **Members.**

29 **(a) There is established an advisory committee, to be known as the _Individual Sewage**
30 **Disposal Systems Advisory Committee_, for the purpose of making recommendations, advising,**
31 **and providing assistance to the Program Administrator of the Environmental Program**
32 **Section of the Division of Environmental Health Protection of the Department of Health**
33 **concerning the utilization and application of alternate and experimental individual sewage**
34 **disposal systems.**

35 **(b) The advisory committee shall consist of twelve (12) members, to be appointed as**
36 **follows:**

1 **(1) A member of the Arkansas Home Builders Association, to be appointed by**
2 **the president of the association;**

3 **(2) A member of the Arkansas Real Estate Commission, to be appointed by a**
4 **majority vote of the commission;**

5 **(3) A member of the Arkansas Realtors Association, to be appointed by the**
6 **president of the association;**

7 **(4) One (1) member who shall be a currently serving or former member of the**
8 **board of a suburban improvement district or an officer or member of an association of**
9 **property owners created by and pursuant to state law and organized for the purpose of**
10 **maintaining common facilities, including sewage disposal facilities, in unincorporated**
11 **subdivisions in this state, to be named by the Governor. However, in making the appointment,**
12 **the Governor shall name a person who has been a developer or a member or officer of the**
13 **board of a development company that has developed large unincorporated subdivisions in two**
14 **(2) or more counties in this state;**

15 **(5) Two (2) members of the Septic Tank Research Program of the University**
16 **of Arkansas, to be named by the President of the University of Arkansas;**

17 **(6) The Director of the Division of Engineering, Department of Health;**

18 **(7) The Program Administrator of the Environmental Program Section,**
19 **Division of Environmental Health Protection, Department of Health;**

20 **(8) The Director of the Division of Environmental Health Protection,**
21 **Department of Health;**

22 **(9) The Director of the Arkansas Department of Pollution Control and Ecology**
23 **or his designee;**

24 **(10) The State Conservationist of the USDA Soil Conservation Service, or his**
25 **designee; and**

26 **(11) The State Geologist with the Arkansas Geological Commission or his**
27 **designee.**

28 **(c) (1) The six (6) members of the advisory committee appointed to serve thereon**
29 **in the manner set forth in subdivisions (b)(1) through (b)(5) of this section shall, at the first**
30 **meeting of the committee, determine their respective terms by lot in such manner that the**
31 **terms of three (3) members shall be for a term of two (2) years and the terms of the other**
32 **three (3) members shall be for a term of four (4) years. Their successors shall be appointed for**
33 **terms of four (4) years.**

34 **(2) Vacancies in the term of any member due to death, resignation, or other**
35 **cause shall be filled in the manner provided in this section for the original appointment for the**

1 unexpired portion of the term. (d) Members of the advisory committee shall serve
2 without pay, but shall be entitled to reimbursement for reasonable and necessary expenses for
3 meals, lodging, and other necessary travel expenses, including mileage, at the rate provided by
4 law for official travel by state employees, for each round trip from their homes to meetings of
5 the advisory committee.

6 (e) (1) The advisory committee shall elect from its membership a chairman, a vice
7 chairman, and a secretary-treasurer, who shall each serve a term of one (1) year. Officers shall
8 be eligible for election to succeed themselves.

9 (2) The committee shall establish its own rules of procedure.

10 (3) The committee shall meet upon call by the chairman, or at the request of
11 any five (5) members of the committee stated in writing, or at the request of the Director of the
12 Division of Environmental Health Protection of the Department of Health, or upon call by the
13 Director of the Department of Health."

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15 **SECTION 2.** All provisions of this act of a general and permanent nature are
16 amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision
17 Commission shall incorporate the same in the Code.

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19 **SECTION 3.** If any provision of this act or the application thereof to any person or
20 circumstance is held invalid, such invalidity shall not affect other provisions or applications of
21 the act which can be given effect without the invalid provision or application, and to this end
22 the provisions of this act are declared to be severable.

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24 **SECTION 4.** All laws and parts of laws in conflict with this act are hereby repealed.

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APPROVED: 2/17/93

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