

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

# A Bill

Act 174 of 2003  
HOUSE BILL 1327

5 By: Representatives Dees, Cleveland  
6 By: Senator J. Bookout  
7

## For An Act To Be Entitled

10 AN ACT TO CREATE THE ALTERNATIVE FUELS  
11 COMMISSION; AND FOR OTHER PURPOSES.

## Subtitle

14 AN ACT TO CREATE THE ALTERNATIVE FUELS  
15 COMMISSION.  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code Title 15, Chapter 10, is amended to add an  
21 additional subchapter to read as follows:

22 15-10-601. Alternative Fuels Commission.

23 (a) There is created the Alternative Fuels Commission.

24 (b)(1) The commission shall be composed of seven (7) members.

25 (2)(A) One (1) member shall be appointed from the state at  
26 large. The member shall be appointed by the Governor.

27 (B) Two (2) members shall be representative of the oil  
28 marketing industry. The members shall be appointed by the Governor.

29 (C) Two (2) members shall be representative of the  
30 electric power industry. One of these members must represent an electric  
31 utility that has elected to participate in the Alternative Fuels and  
32 Weatherization Funds. The Speaker of the House of Representatives and the  
33 President Pro Tempore of the Senate shall each appoint one (1) of these  
34 members.

35 (D) Two (2) members shall be representative of the natural  
36 gas industry. The Speaker of the House of Representatives and the President



1 Pro Tempore of the Senate shall each appoint one (1) of these members.

2 (c)(1) The members of the commission shall serve terms of four (4)  
 3 years.

4 (2) However, the initial members shall serve terms to be  
 5 determined by lot so that:

6 (A) One (1) member serves an initial term of one (1) year;

7 (B) Two (2) members serve an initial term of two (2)  
 8 years;

9 (C) Two (2) members serve an initial term of three (3)  
 10 years; and

11 (D) Two (2) members serve an initial term of four (4)  
 12 years.

13 (d)(1) If a vacancy occurs on the commission, a successor shall be  
 14 appointed within thirty (30) days to serve the remainder of the unexpired  
 15 term.

16 (2) The appointment shall be made in the same manner as for the  
 17 appointment of the predecessor.

18 (3) The appointment shall be made by the official holding the  
 19 office responsible for appointing the predecessor.

20 (e) To the extent funds are available, members of the commission shall  
 21 serve without pay but may receive expense reimbursement in accordance with §  
 22 25-16-902.

23 (f) Members of the commission shall qualify by taking the oath of  
 24 office as prescribed by law.

25 (g) The commission shall annually elect one (1) of its members as  
 26 chairperson.

27 (h) Four (4) members of the commission shall be a quorum for the  
 28 transaction of any business.

29 (i) The initial meeting of the commission shall be called by the  
 30 members appointed by the Governor from the state at large.

31  
 32 15-10-602. Duties of commission.

33 The commission shall:

34 (1) Identify and cooperate with existing agencies,  
 35 organizations, and individuals to develop, coordinate, and promote the  
 36 utilization of alternative fuels throughout the State of Arkansas;

1           (2) Emphasize the production, development, promotion, and  
 2 utilization of alternative motor fuels;

3           (3) Establish priorities for addressing other alternative energy  
 4 sources, taking into consideration the economics, availability, and the  
 5 social and environmental benefits to be derived from the development and use  
 6 of these alternative fuels;

7           (4) Cooperate in the implementation of a state energy strategy;

8           (5) Acquire by purchase, gift, devise, grant, dedication, or  
 9 otherwise, any interest in real or personal property;

10          (6) Cooperate and contract with any governmental entity, any  
 11 natural person, or any legal entity;

12          (7) Accept money, grants, or any other property from any  
 13 governmental entity, natural person, or other legal entity;

14          (8) Make grants and loans;

15          (9) Hire staff if funds are available for that purpose; and

16          (10) Promulgate regulations necessary to implement this  
 17 subchapter.

18  
 19           15-10-603. Grants and Loans.

20          (a)(1) The commission shall periodically establish the priorities for  
 21 addressing alternative fuels or energy sources, and solicit grant  
 22 applications for research projects to address those priorities.

23          (2) The commission shall evaluate grant applications by a set of  
 24 criteria which shall include, but not be limited to, the expertise of the  
 25 applicant, previous related research by the applicant, relevance to the  
 26 commission's priorities, the infrastructure available to support the project,  
 27 and the value of the expected results to the Arkansas economy.

28          (3) At its discretion, the commission may make grants to  
 29 applicants in amounts the commission deems appropriate.

30          (b)(1) The commission shall periodically establish the priorities for  
 31 addressing alternative fuels or energy sources, and solicit loan applications  
 32 for demonstration projects to address those priorities.

33          (2) The commission shall evaluate loan applications by a set of  
 34 criteria which shall include, but not be limited to, the expertise of the  
 35 applicant, previous related projects of the applicant, relevance to the  
 36 commission's priorities, the infrastructure available to support the project,

1 and the value of the expected results to the Arkansas economy.

2 (3) At its discretion, the commission may make loans to  
3 applicants in amounts and on terms the commission deems appropriate.

4 (c) As a condition for receiving a grant or loan under this  
5 subchapter, the recipient must agree that any patent produced by research or  
6 projects funded, or partially funded, by grants or loans under this  
7 subchapter may be used by utilities participating in the Alternative Fuels  
8 Fund without paying any royalty or license fee.

9  
10  
11 **APPROVED: BECAME LAW ON 2/18/2003, WITHOUT THE GOVERNOR’S SIGNATURE.**  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36