

As Engrossed: 2/15/91 3/21/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**

A Bill

HOUSE BILL 1165

4 **By: Representative Gibson**
5 *Representatives Landers, Gilbert, Wagner, Mitchell, Flanagin*

For An Act To Be Entitled

8 "AN ACT TO CREATE THE ENVIRONMENTAL EDUCATION FUND; TO
9 AMEND ARKANSAS CODE 8-7-509(d) TO TRANSFER A PORTION OF
10 THE HAZARDOUS SUBSTANCE REMEDIAL ACTION TRUST FUND TO THE
11 ENVIRONMENTAL EDUCATION FUND; AND FOR OTHER PURPOSES."

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Environmental Education Fund Created.

16 There is created on the books of the State Treasurer, State Auditor, and
17 the Chief Fiscal Officer of the State a special fund to be known as the
18 Environmental Education Fund to be used by the Department of Pollution Control
19 and Ecology to provide environmental educational materials and training. The
20 fund shall consist of such funds as may be provided by law.

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22 SECTION 2. Arkansas Code 8-7-509(d) is amended to read as follows:

23 "*(d) Ten percent (10%) of the monies collected for the Hazardous*
24 *Substance Remedial Action Trust Fund after July 1, 1991, shall be deposited in*
25 *the Environmental Education Fund. Total deposit of funds shall not exceed two*
26 *hundred seventy-five thousand dollars (\$275,000) per fiscal year. The*
27 *remaining monies in the Hazardous Substance Remedial Action Trust Fund may be*
28 *expended by the director solely for the purposes pursuant to provisions of*
29 *subsection (e):*

30 (1) The costs and expenses reasonably necessary for the
31 administration of this subchapter by the department;

32 (2) The state share mandated by § 104(c)(3) of the federal act
33 (42 U.S.C. §9604(c)(3));

34 (3) To provide for the investigation, identification,
35 containment, abatement, treatment, or control, including monitoring and

1 maintenance of hazardous substance sites within the state. The director may
2 enter into the contracts and use the funds for those purposes directly
3 associated with identification, investigation, containment, abatement,
4 treatment, or control, including monitoring and maintenance, prescribed above,
5 including:

- 6 (A) hiring of personnel;
- 7 (B) purchase, lease, or rental of equipment; and
- 8 (C) other necessary expenses."

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10 SECTION 3. All provisions of this Act of a general and permanent nature
11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
12 Revision Commission shall incorporate the same in the Code.

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14 SECTION 4. If any provision of this Act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the Act which can be given effect without
17 the invalid provision or application, and to this end the provisions of this
18 Act are declared to be severable.

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20 SECTION 5. All laws or parts of laws in conflict with this Act are
21 hereby repealed.

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23 /s/B. Gibson, et al

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