

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

A Bill

HOUSE BILL

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 CONSERVATION
19 SERVICE SHALL SERVE AS MEMBER OF INDIVIDUAL SEWAGE
20 DISPOSAL SYSTEM ADVISORY COMMITTEE."
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22
23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

24
25 SECTION 1. Arkansas Code 14-229-101 is hereby amended to read as
26 follows:

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

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

1 (b) The advisory committee shall consist of twelve (12) members, to be
2 appointed as follows:

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

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

7 (3) A member of the Arkansas Realtors Association, to be
8 appointed by the president of the association;

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

18 (5) Two (2) members of the Septic Tank Research Program of the
19 University of Arkansas, to be named by the President of the University of
20 Arkansas;

21 (6) The Director of the Division of Engineering, Department of
22 Health;

23 (7) The Program Administrator of the Environmental Program
24 Section, Division of Environmental Health Protection, Department of Health;

25 (8) The Director of the Division of Environmental Health
26 Protection, Department of Health;

27 (9) The Director of the Arkansas Department of Pollution Control
28 and Ecology or his designee;

29 (10) The State Conservationist of the USDA Soil Conservation
30 Service, or his designee; and

31 (11) The State Geologist with the Arkansas Geological Commission
32 or his designee.

33 (c) (1) The six (6) members of the advisory committee appointed to
34 serve thereon in the manner set forth in subdivisions (b)(1) through (b)(5) of
35 this section shall, at the first meeting of the committee, determine their

1 respective terms by lot in such manner that the terms of three (3) members
2 shall be for a term of two (2) years and the terms of the other three (3)
3 members shall be for a term of four (4) years. Their successors shall be
4 appointed for terms of four (4) years.

5 (2) Vacancies in the term of any member due to death,
6 resignation, or other cause shall be filled in the manner provided in this
7 section for the original appointment for the unexpired portion of the term.

8 (d) Members of the advisory committee shall serve without pay, but
9 shall be entitled to reimbursement for reasonable and necessary expenses for
10 meals, lodging, and other necessary travel expenses, including mileage, at the
11 rate provided by law for official travel by state employees, for each round
12 trip from their homes to meetings of the advisory committee.

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

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

18 (3) The committee shall meet upon call by the chairman, or at the
19 request of any five (5) members of the committee stated in writing, or at the
20 request of the Director of the Division of Environmental Health Protection of
21 the Department of Health, or upon call by the Director of the Department of
22 Health."

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24 SECTION 2. All provisions of this act of a general and permanent nature
25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
26 Revision Commission shall incorporate the same in the Code.

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28 SECTION 3. If any provision of this act or the application thereof to
29 any person or circumstance is held invalid, such invalidity shall not affect
30 other provisions or applications of the act which can be given effect without
31 the invalid provision or application, and to this end the provisions of this
32 act are declared to be severable.

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

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