

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

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH A COMPLIANCE ADVISORY PANEL FOR THE
9 SMALL BUSINESS STATIONARY SOURCE TECHNICAL AND
10 ENVIRONMENTAL COMPLIANCE ASSISTANCE PROGRAM AS REQUIRED BY
11 SECTION 507 OF THE FEDERAL CLEAN AIR ACT; AND FOR OTHER
12 PURPOSES."

Subtitle

14 "TO ESTABLISH A COMPLIANCE ADVISORY PANEL FOR THE SMALL
15 BUSINESS STATIONARY SOURCE TECHNICAL AND ENVIRONMENTAL
16 COMPLIANCE ASSISTANCE PROGRAM."

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

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21 SECTION 1. Purpose. In order to comply with section 507 of the federal
22 Clean Air Act, this statute is enacted. The program establishes a compliance
23 advisory panel for the Small Business Stationary Source Technical and
24 Environmental Compliance Assistance Program. This program is to be
25 administered by the Arkansas Department of Pollution Control and Ecology and
26 is intended to help eligible small businesses understand and comply with the
27 federal Clean Air Act.

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29 SECTION 2. Subchapter 314 of Chapter 4 of Title 8 of the Arkansas Code
30 of 1987 Annotated is hereby amended by adding the following section:

31 "8-4-314. Small Business Stationary Source Technical and Environmental
32 Compliance Assistance Program.

33 (1) (A) There shall be created a Compliance Advisory Panel (hereinafter
34 referred to as the Panel) composed of seven (7) individuals. This panel
35 shall:

1 (1) Render advisory opinions concerning the effectiveness
2 of the Small Business Stationary Source Technical and Environmental Compliance
3 Assistance Program (Program), difficulties encountered, and degree and
4 severity of enforcement;

5 (2) make periodic reports to the Administrator of the EPA
6 concerning the compliance of the program with the requirements of the
7 Paperwork Reduction Act, the Regulatory Flexibility Act, and the Equal Access
8 to Justice Act;

9 (3) review information for small business stationary
10 sources to assure such information is understandable by the layperson; and

11 (4) have the program serve as the secretariat for the
12 development and dissemination of such reports and advisory opinions.

13 (B) The panel shall consist of:

14 (1) two (2) members, who are not owners, or representatives
15 of owners, of small business stationary sources, selected by the Governor to
16 represent the general public;

17 (2) two (2) members selected by the House of
18 Representatives of the State Legislature who are owners, or who represent
19 owners, of small business stationary sources (one (1) member each by the
20 majority and minority leadership);

21 (3) two (2) members selected by the Senate of the State
22 Legislature who are owners, or who represent owners, of small business
23 stationary sources (one (1) member each by the majority and minority
24 leadership); and

25 (4) one (1) member selected by the Director of the Arkansas
26 Department of Pollution Control and Ecology.

27 (C) In furtherance of the act, the seven (7) individuals
28 comprising the panel shall be selected during the 1993 general legislative
29 session.

30 (D) Panel members shall serve a term of four (4) years. In the
31 event of vacancy in the membership of the panel concerning a member selected
32 by the State Legislature or the Governor, the Governor shall appoint a person
33 (meeting the applicable eligibility requirements of the vacated position) to
34 fill the vacancy for the remainder of the unexpired term. In the event of
35 vacancy in the membership of the panel concerning the member appointed by the

1 Director of the Arkansas Department of Pollution Control and Ecology, the
2 Director shall appoint a person to fill the vacancy for the remainder of the
3 unexpired term.

4 (E) The panel shall hold its first meeting by November, 1993.
5 The panel shall hold at least one (1) regular meeting in each subsequent
6 calendar year at a time and place determined by the panel. Special meetings
7 may be called at the discretion of the chairman.

8 (F) The panel shall select a chairman and vice-chairman during
9 the first annual meeting of each four (4) year term.

10 (G) Four (4) members of the panel shall constitute a quorum to
11 transact business.

12 (H) The members shall be allowed travel and maintenance expenses
13 while attending regular meetings and special hearings at the same rates
14 prescribed by law or regulations for state employees, to be paid out of the
15 funds appropriated to the commission."
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17 SECTION 3. All provisions of this act of a general and permanent nature
18 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
19 Revision Commission shall incorporate the same in the Code.
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21 SECTION 4. If any provision of this act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 act are declared to be severable.
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27 SECTION 5. All laws and parts of laws in conflict with this act are
28 hereby repealed.
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