

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

# A Bill

**SENATE 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."  
21

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."

23

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.

27

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.

33

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35 hereby repealed.

1

2