

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Willems**

A Bill ACT 659 OF 1991
HOUSE BILL 1712

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7 **For An Act To Be Entitled**

8 "AN ACT TO CREATE THE ALTERNATIVE FUELS COMMISSION; AND
9 FOR OTHER PURPOSES."

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

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13 SECTION 1. It is the purpose and intent of this Act to decrease the
14 reliance of the United States, and especially the residents of Arkansas, on
15 imported oil as a major source of energy. In furtherance of this purpose, the
16 Alternative Fuels Commission created by this Act shall encourage and assist
17 governmental agencies, private enterprise and the citizens of this State to
18 decrease their use of imported fuels and increase their use of fuels produced
19 domestically.

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21 SECTION 2. (a) There is hereby created the Alternative Fuels
22 Commission to be composed of seven (7) members appointed by the Governor, plus
23 one (1) Senator and one (1) Representative serving on the Joint Committee on
24 Energy of the Arkansas General Assembly to be appointed by the Chairmen of the
25 Joint Committee on Energy. The Governor shall appoint one (1) consumer
26 representative and in making the remainder of his appointments he should give
27 consideration to the appointees' knowledge of and experience in banking,
28 farming, geology, chemistry, biology, and engineering.

29 (b) One (1) commissioner shall be selected from each of the (4) four
30 congressional districts, and the remaining three (3) commissions shall serve
31 from the State at large.

32 (c) The Governor appointed members of the Commission shall serve terms
33 of four (4) years except that in making his initial appointments, the Governor
34 shall appoint one (1) person to serve a one (1) year term, two (2) persons to
35 serve two (2) year terms, two (2) persons to serve three (3) year terms, and
36 two (2) persons to serve four (4) year terms. The members appointed from the

1 Joint Committee on Energy shall serve two (2) year terms.

2 (d) In the event a vacancy occurs on the Commission due to death,
3 resignation, or other cause, the vacancy shall be filled by appointment by the
4 Governor or Chairmen of the Joint Committee on Energy, whichever is
5 appropriate, of a person eligible for the initial appointment as set forth in
6 this section, to serve for the remainder of the unexpired portion of the term
7 of the member.

8 (e) The Commission shall annually elect one (1) of its members as
9 chairman and one (1) of its members as vice-chairman, and other officers as
10 the Commission deems necessary.

11 (f) Members of the Commission shall serve without pay but shall be
12 reimbursed from Commission funds, if available, for reasonable and necessary
13 expenses incurred in attending to Commission business, in the same manner and
14 in accordance with the same conditions, restrictions, and limitations as are
15 applicable to employees of the State.

16 (g) Members of the Commission shall qualify by taking the oath of
17 office as prescribed by law.

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19 SECTION 3. (a) There is hereby created the Alternative Fuels Advisory
20 Committee to be composed of twelve (12) members appointed by the Governor as
21 follows:

22 (1) A representative of the grain ethanol industry,

23 (2) A representative of the cellulose ethanol industry,

24 (3) A representative of the Arkansas Transit Association, chosen from a
25 list of three (3) nominees provided by the Association,

26 (4) A representative of the Arkansas Oil Marketer's Association, chosen
27 from a list of three (3) nominees provided by the Association,

28 (5) A representative of the Liquefied Petroleum Gas Association, chose
29 from a list of three (3) nominees provided by the Association,

30 (6) A representative from the Arkansas Petroleum Council, chosen from a
31 list of three (3) nominees provided by the Council,

32 (7) A representative of the Arkansas Farm Bureau, chosen from a list of
33 three (3) nominees provided by the Bureau,

34 (8) A representative from the Arkansas Gas Association, chosen from a
35 list of three (3) nominees provided by the Association,

- 1 (9) A representative of a public electric utility,
- 2 (10) A member at large to represent consumers,
- 3 (11) A representative of a public gas utility, and
- 4 (12) A representative of the Conservation Coalition, chosen from a list
- 5 of three (3) nominees provided by the Coalition.

6 (b) The members of the Advisory Committee shall serve without pay, but
7 the Commission may, if sufficient funds are available, reimburse members of
8 the Advisory Committee for actual and necessary expenses in attending Advisory
9 Committee meetings.

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11 SECTION 4. The Commission shall:

- 12 (1) Identify and cooperate with existing agencies, organizations and
- 13 individuals to develop, coordinate and promote the utilization of alternative
- 14 fuels throughout the State of Arkansas;
- 15 (2) Initially emphasize the production, development, promotion and
- 16 utilization of alternative motor fuels;
- 17 (3) Subsequently establish priorities for addressing other alternative
- 18 energy sources, taking into consideration the economics, availability, and the
- 19 social and environmental benefits to be derived from the development and use
- 20 of these alternative fuels;
- 21 (4) Cooperate in the implementation of a State Energy Strategy;
- 22 (5) Provide an annual report to the Governor, to the General Assembly,
- 23 and to the public documenting areas of success, recommendations for
- 24 legislation, and unresolved issues that require further attention;
- 25 (6) Acquire by purchase, gift, devise, grant, dedication or otherwise,
- 26 any interest in real or personal property; cooperate and contract with any
- 27 governmental entity, any natural person or any legal entity; accept money or
- 28 any other property from any governmental entity, natural person, or other
- 29 legal entity; make grants and loans; issue bonds and other evidences of
- 30 indebtedness; and promulgate regulations necessary to implement this Act.

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32 SECTION 5. No member of the Alternative Fuels Commission or the
33 Alternative Fuels Advisory Committee shall be personally liable for his acts
34 or omissions within the scope of duties as a member of the Commission or
35 Committee, nor shall any member be personally liable for the acts or omissions

1 of any other member of the Commission or Committee performed within the scope
2 of their duties as such members.

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4 SECTION 6. All provisions of this Act of a general and permanent nature
5 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
6 Revision Commission shall incorporate the same in the Code.

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8 SECTION 7. If any provision of this Act or the application thereof to
9 any person or circumstance is held invalid, such invalidity shall not affect
10 other provisions or applications of the Act which can be given effect without
11 the invalid provision or application, and to this end the provisions of this
12 Act are declared to be severable.

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14 SECTION 8. All laws and parts of laws in conflict with this Act are
15 hereby repealed.

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APPROVED: 3-20-91

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