

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

# A Bill

**ACT 556 OF 1993**  
**SENATE BILL 426**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 8-5-204 TO PROVIDE THAT  
9 TWO (2) NEW MEMBERS OF THE ARKANSAS WASTEWATER LICENSING  
10 COMMITTEE SHALL BE WASTEWATER TREATMENT PLANT OPERATORS  
11 EMPLOYED BY PRIVATE INDUSTRY; TO AMEND ARKANSAS CODE § 8-  
12 5-205 TO CHARGE THE POLLUTION CONTROL AND ECOLOGY  
13 COMMISSION WITH AUTHORITY TO PARTICIPATE FINANCIALLY IN  
14 PROGRAMS SPONSORED BY THE ARKANSAS WATER ENVIRONMENT  
15 ASSOCIATION NOT TO EXCEED ONE THOUSAND DOLLARS (\$1,000.00)  
16 PER FISCAL YEAR; AND FOR OTHER PURPOSES."

## Subtitle

18 "AN ACT TO ADD TWO (2) MEMBERS OF THE ARKANSAS WASTEWATER  
19 LICENSING COMMITTEE AND AUTHORIZE PC&E TO FINANCIALLY  
20 SUPPORT PROGRAMS BY THE PRIVATE ASSOCIATION.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. Arkansas Code § 8-5-204 is hereby amended to read as  
26 follows:

27 "8-5-204. Licensing committee.

28 (a) There is created and established a licensing committee to advise  
29 and assist the Arkansas Pollution Control and Ecology Commission in the  
30 administration of the licensing program, which shall be composed of eight (8)  
31 members:

32 (1) Five (5) members, to be appointed by the commission, of  
33 which, three (3) members shall be active wastewater treatment plant operators  
34 licensed by the commission and two (2) members shall be employed by a private  
35 corporation or industry located in Arkansas and nominated at large by the  
36 corporations or industries for service on the committee;

1           (2) One (1) member, to be appointed by the commission, shall be  
2 an employee of a municipality operating a wastewater treatment plant who holds  
3 the position of the chief administrative officer, city engineer, director of  
4 public utilities, or other equivalent position;

5           (3) One (1) member, to be appointed by the commission, shall be a  
6 faculty member of an accredited college, university, or professional school in  
7 the state whose major field is related to water resources or sanitary  
8 engineering;

9           (4) One (1) member shall be the Director of the Department of  
10 Pollution Control and Ecology, or a qualified member of his staff, who shall  
11 act as executive secretary of the licensing committee.

12           (b)(1) In the event of a vacancy, a new member shall be appointed by  
13 the commission to serve out the unexpired term.

14           (2) No member shall serve more than two (2) consecutive three-  
15 year terms.

16           (c)(1) State agency members of the licensing committee shall receive no  
17 additional salary or per diem for their services as members of the committee,  
18 but they shall be allowed their travel and maintenance expenses while  
19 attending meetings away from Little Rock.

20           (2) The members appointed by the commission shall be allowed  
21 twenty-five dollars (\$25.00) per day plus their travel and maintenance  
22 expenses while attending meetings."  
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24           SECTION 2. Arkansas Code § 8-5-205 is hereby amended to read as  
25 follows:

26           "8-5-205. Powers and duties generally.

27           The Arkansas Pollution Control and Ecology Commission shall be charged  
28 with the responsibility of administering and enforcing this subchapter, with  
29 the advice and assistance of the licensing committee, and is given and charged  
30 with the following powers and duties:

31           (1) To adopt rules and regulations implementing and effectuating such  
32 powers and duties of the commission under this subchapter as may be necessary  
33 for the administration and enforcement thereof;

34           (2) To conduct examinations for licensing, which shall be conducted at  
35 least annually and more frequently as the commission shall deem necessary;

1           (3) To issue licenses to qualified wastewater treatment plant  
2 operators, to renew these licenses, and to suspend or revoke the licenses for  
3 cause, after due notice and hearing;

4           (4) To institute court proceedings to compel compliance with the  
5 provisions of this subchapter and rules and regulations issued pursuant  
6 thereto; and

7           (5) To participate financially in programs sponsored by the Arkansas  
8 Water Environment Association, or its successor, provided that the  
9 participation shall not exceed the sum of one thousand dollars (\$1,000) per  
10 fiscal year."

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12           SECTION 3. All provisions of this act of general and permanent nature  
13 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
14 Revision Commission shall incorporate the same in the Code.

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

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22           SECTION 5. All laws and parts of laws in conflict with this act are  
23 hereby repealed.

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APPROVED: 03-16-93

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