

**Hall of the House of Representatives**  
87th General Assembly - Regular Session, 2009  
**Amendment Form**

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**Subtitle of House Bill No. 1746**

"THE WATER SOURCE PROTECTION ACT."

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**Amendment No. 4 to House Bill No. 1746.**

Amend House Bill No. 1746 as engrossed, H3/16/09 (version: 03-16-2009 09:57):

Add Senator Steele as a cosponsor of the bill

AND

Delete everything after the Enacting Clause and substitute the following:

"SECTION 1. NOT TO BE CODIFIED. Purpose. The preservation of quality drinking water is of vital importance to the health, safety, and welfare of the citizens of the State of Arkansas. Water utility-owned or water utility-operated lakes, reservoirs, and impoundments are major sources of drinking water in the state. Unfortunately, they are also subject to contamination from the discharge of pollution within the watershed surrounding each lake. Accordingly, for the protection of water-utility owned or operated lakes providing water to both small and large communities throughout the state, the General Assembly of the State of Arkansas establishes the Task Force on Water Source Protection to study ways to preserve the water quality of such lakes and reduce the risk of contamination caused by surface discharges from nonmunicipal treatment plants within their watersheds.

SECTION 2. Task Force on Water Source Protection – Created – Membership.

(a) There is created the Task Force on Water Source Protection consisting.

(b) The task force shall consist of the following members:

(1) A board member of a regional water distribution system who is appointed by the Governor;

(2) A member of a commission that operates a waterworks and distributing system owned by a city of the first class, city of the second class, or incorporated town who is appointed by the Governor;

(3) A member of the Senate appointed by the President Pro Tempore of the Senate;

(4) A member of the House of Representatives appointed by the Speaker of the House of Representatives;

(5) A person appointed by the Attorney General;



- (6) A person appointed by the Arkansas Municipal League;  
(7) A person appointed by the Arkansas Department of Environmental Quality;  
(8) A person appointed by the Department of Rural Services;  
(9) A person appointed by the Arkansas Natural Resources Commission;  
(10) A person appointed by the State Board of Health;  
(11) A person appointed by the Association of Arkansas Counties;  
(12) A water system operator appointed by the Drinking Water Advisory and Operator Licensing Committee;  
(13) A person from each congressional district appointed by the Governor; and  
(14) A member of the Arkansas Realtors Association appointed by the Governor.
- (c)(1) The members of the House of Representatives and the Senate appointed to the task force under subsection (b) of this section shall serve as cochairs of the task force.  
(2) The task force shall meet at the State Capitol.
- (d) If a vacancy occurs on the task force, the vacancy shall be filled by the same process as the original appointment made under subsection (b) of this section.
- (e) The task force shall establish rules and procedures for conducting its business.
- (f) A legislative member of the task force may to receive reimbursement for expenses and per diem at the same rate and from the same source as provided by law for a member of the General Assembly who attends a meeting of an interim committee.
- (g) A majority of the members of the task force constitutes a quorum for transacting the business of the task force.
- (h) The Bureau of Legislative Research shall provide staff for the task force.
- (i) The task force terminates on January 31, 2010.  
(j) On December 31, 2009, the task force shall deliver a report containing the conclusions of the task force and any recommended revisions or additions to the state's laws concerning the quality and safety of drinking water for public consumption to the cochairs of the Legislative Council.

SECTION 3. (a) The task force shall identify the various nonmunicipal waste water treatment systems and the compliance records of such systems that exist and surface discharge into water utility-owned or operated lakes, reservoirs, and impoundments and recommend ways to preserve the water quality of such lakes and reduce the risk of contamination caused by surface discharges from nonmunicipal treatment plants within their watersheds.

- (1) For purposes of the task force:
- (A) "Nonmunicipal sewage treatment plant" means a facility that is not a publicly owned treatment works and that is used to treat the excrementitious or other discharge from the bodies of humans, including a:
- (i) Wastewater treatment plant;  
(ii) Sewage treatment plant;  
(iii) Package plant; or  
(iv) Similar facility.
- (B) "Nonmunicipal sewage treatment plant" does not

include, among other things:

- (i) Septic tank systems;
- (ii) Drip irrigation systems; or
- (iii) Systems for the treatment of animal waste;
- (2) "Watershed" means the land area from which water drains into a stream, river, lake, or reservoir, including all tributaries; and
- (3) "Publicly owned treatment works" means any device or system for the treatment of pollutants that is owned by any:
  - (A) Municipality;
  - (B) Quasimunicipal corporation; or
  - (C) Other public entity.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the protection of the water quality of the state's lakes, reservoirs, and impoundments that provide water for the citizens of the State is vital to the health of the citizens of the state; and that finding ways to eliminate and prohibit surface discharges from nonmunicipal sewage treatment plants in the watershed of lakes, reservoirs, and impoundments is vital to the protection of the water quality. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

- (1) The date of its approval by the Governor;
- (2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or
- (3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto."

The Amendment was read \_\_\_\_\_

By: Representative J. Edwards

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Chief Clerk