

**Hall of the House of Representatives**  
83rd General Assembly - Regular Session, 2001  
**Amendment Form**

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**Subtitle of House Bill No. 2630**

"AN ACT TO REPEAL THE MARINE SANITATION LAWS IN ARKANSAS TO CONFORM  
TO FEDERAL LAW."

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**Amendment No. 1 to House Bill No. 2630.**

Amend House Bill No. 2630 as originally introduced:

Delete the Title and substitute the following:

"AN ACT TO REPEAL ARKANSAS CODE 27-101-401 THROUGH 27-101-404; TO MODIFY THE MARINE SANITATION LAWS TO CONFORM WITH FEDERAL LAW; AND FOR OTHER PURPOSES. "

AND

Delete the Subtitle and substitute the following:

"AN ACT TO MODIFY THE MARINE SANITATION LAWS TO CONFORM WITH FEDERAL LAW. "

AND

Page 1, delete line 23 and substitute the following:

"SECTION 1. Arkansas Code 27-101-401 - 404 is repealed: "

AND

Page 3, delete lines 11 through 36 in their entirety

AND

Page 4, delete lines 1 through 36 in their entirety

AND

Page 5, delete lines 1 through 36 and substitute the following:

"SECTION 2. Arkansas Code 27-101-405 is amended to read as follows:  
27-101-405. Marine Sanitation Advisory Committee.

(a) There is established a Marine Sanitation Advisory Committee, to consist of ~~twelve (12)~~ thirteen (13) members appointed by the Governor as follows:

- (1) Five (5) members shall be marina operators;

(2) One (1) member shall be an operator of a marine repair facility;

(3) ~~Two (2) members shall be employees of the Bureau of Environmental Health Services of the Department of Health as~~ One (1) member shall be nominated by the Director of the Department of Health;

(4) One (1) member shall be nominated by the Director of the Department of Environmental Quality;

(5) One (1) member shall be nominated by the Director of the Game and Fish Commission;

~~(4)~~ (6) Three (3) members shall be boat owners; and

~~(5)~~ (7) One (1) member shall be the Captain of Division 15 of the United States Coast Guard Auxiliary or his or her designee.

(b) The ~~two (2)~~ three (3) members appointed pursuant to ~~subdivision subdivisions~~ (a)(3) through (a)(5) of this section shall serve at the pleasure of the director of each respective agency, and the member appointed pursuant to subdivision ~~(a)(5)~~ (a)(7) of this section shall serve as long as the person remains Captain of Division 15 of the United States Coast Guard Auxiliary or, if the designee of the captain, the designee will serve as long as the person designating him is Captain of Division 15. Of the initial members appointed under subdivisions (a)(1), (a)(2), and ~~(a)(4)~~ (a)(6) of this section, three (3) shall be appointed for one-year terms, three (3) for two-year terms and three (3) for three-year terms. Members shall serve three-year terms except that persons appointed to fill vacancies resulting in an unexpired term shall serve for the remainder of that unexpired term.

(c) Upon recommendation of the advisory committee made after notice and hearing, the Governor may remove any member of the advisory committee for incompetence, neglect of duty, or malfeasance in office.

(d) Any vacancy on the advisory committee shall be filled by the Governor.

(e) The Governor shall call the first advisory committee meeting. The advisory committee shall elect annually from its membership a chairperson, a vice chairperson, and a secretary. The chairperson shall not serve more than two (2) consecutive terms as chairperson. The advisory committee shall meet as frequently as it deems necessary at such times and places as the advisory committee designates. Additional meetings may be held upon the call of the chairperson or upon written request of five (5) members of the advisory committee.

(f) Seven (7) members of the advisory committee shall constitute a quorum.

(g) The members of the advisory committee shall not be entitled to compensation for their services ~~but may receive expense reimbursement in accordance with § 25-16-902.~~

SECTION 3. Arkansas Code 27-101-407 is amended to read as follows:  
27-101-407. Marina operators.

(a) Marina operators shall work cooperate with ~~the Department of Health~~ all applicable state and federal agencies and the Marine Sanitation Advisory Committee to ensure that ~~all boats, marine toilets, marine sanitation systems, and the disposal of marine sewage from boats into impounded waters are in compliance with this subchapter~~ is consistent with state and federal law.

~~(b) Marina operators shall, in accordance with regulations promulgated~~

~~by the State Board of Health, encourage prompt compliance with this subchapter.~~

(b) When accepting new boat arrivals, marina operators shall inform boat owners and operators of the requirements of ~~this subchapter in accordance with regulations promulgated by the board~~ state and federal law regarding the proper disposal of marine sewage.

SECTION 4. Arkansas Code 27-101-409 is amended to read as follows:  
27-101-409. Powers and duties of the Marine Sanitation Advisory Committee.

The Marine Sanitation Advisory Committee ~~shall~~ may, subject to the availability of funding:

(a) Review all regulations relating to marine toilets, marine sanitation systems, and disposal of marine sewage from boats as necessary to ~~carry out the provisions of this subchapter and recommend their approval to the State Board of Health~~ inform marina operators and boat owners of all requirements of state and federal law;

~~(b) Recommend to the Department of Health a timetable for implementation of regulations promulgated under this subchapter so that persons required to comply with its provisions have a reasonable opportunity to bring facilities into compliance;~~

~~(c)(b) Establish a marine sanitation migrant program for the purpose of providing grants to marinas to purchase additional marine equipment to assist with the compliance of this subchapter if funds are available~~ proper disposal of marine sewage; and

~~(d)(c) Conduct ongoing~~ Encourage research to ~~advise the department in~~ regard to technological developments in the discharge of marine sewage.

SECTION 5. Arkansas Code Title 27, Chapter 101, Subchapter 4 is amended by adding an additional section to read as follows:

27-101-410. Cooperation with federal agencies.

The Department of Health, the Arkansas Department of Environmental Quality, and the Arkansas State Game and Fish Commission shall pursue cooperative agreements with all appropriate federal agencies to ensure the proper disposal of marine sewage in Arkansas."

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

By: Representative Haak  
MF/RTK - 032620011001  
RTK319

\_\_\_\_\_  
Chief Clerk