

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT AUTHORIZING THE POLLUTION CONTROL & ECOLOGY
9 COMMISSION TO EMPLOYEE A FULL-TIME, INDEPENDENT
10 ADMINISTRATIVE HEARING OFFICER; AND FOR OTHER PURPOSES."

Subtitle

13 "AUTHORIZING THE POLLUTION CONTROL & ECOLOGY COMMISSION TO
14 EMPLOYEE A FULL-TIME, INDEPENDENT ADMINISTRATIVE HEARING
15 OFFICER."

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

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19 SECTION 1. (a) The Pollution Control & Ecology Commission shall be
20 authorized to hire a full-time administrative hearing officer at Grade 99 to
21 perform such functions and duties as the Commission shall direct and in
22 particular to advise the Commission on matters of law and procedure that may
23 arise during the conduct of Commission duties and responsibilities as outlined
24 in Arkansas Code § 8-1-203; § 8-4-201; 8-4-202; 8-4-311; 8-5-205; §
25 8-6-207 or as otherwise provided by law.

26 (b) The authorized administrative hearing officer shall be selected by
27 and hired by the Commission and shall be independent of and not an employee of
28 the Department of Pollution Control and Ecology. Suitable office space and
29 equipment shall be provided the administrative hearing officer and Commission
30 Secretary to perform the duties of the respective positions. The office space
31 shall be at a location other than the office of the Department of Pollution
32 Control and Ecology.

33 (c) The Commission Secretary, now an employee of the Department of
34 Pollution Control and Ecology, shall become a full-time employee of the
35 Commission and shall perform such duties as assigned by the Commission

1 including assistance to the administrative hearing officer. The position so
2 transferred shall be at Grade 17.

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4 SECTION 2. All provisions of this act of a general and permanent
5 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
6 Code Revision Commission shall incorporate the same in the Code.

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8 SECTION 3. 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 4. All laws and parts of laws in conflict with this act are
15 hereby repealed.

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