

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Bell

A Bill

SENATE BILL 843

For An Act To Be Entitled

8 "AN ACT TO ESTABLISH A CENTER FOR ENVIRONMENTAL STUDIES
9 AND RESEARCH; TO RECEIVE PUBLIC AND PRIVATE FUNDS; TO
10 FACILITATE ENVIRONMENTAL EDUCATION PROGRAMS AND
11 COORDINATION OF DATA AMONG ENVIRONMENTAL MANAGEMENT AND
12 CONSERVATION AGENCIES, UNIVERSITY SYSTEMS AND EDUCATION;
13 AND FOR OTHER PURPOSES."

Subtitle

17 "AN ACT TO ESTABLISH A CENTER FOR
18 ENVIRONMENTAL STUDIES AND RESEARCH; TO
19 RECEIVE PUBLIC AND PRIVATE FUNDS; TO
20 FACILITATE ENVIRONMENTAL EDUCATION
21 PROGRAMS AND COORDINATION OF DATA AMONG
22 ENVIRONMENTAL MANAGEMENT AND
23 CONSERVATION AGENCIES, UNIVERSITY
24 SYSTEMS AND EDUCATION."

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

29 SECTION 1. Arkansas Code Annotated Title 8 is amended by adding
30 Chapter 10 as follows:

31 "8-10-101. Title.

32 The provisions of this chapter shall be known as the "Arkansas Center
33 for Environmental Studies Act."

35 8-10-102. Legislative Findings and Purpose.

1 The General Assembly finds that:

2 (a)(1) Environmental studies and concerns span every management and
3 conservation agency and institution of learning in the State;

4 (2) It is necessary that individuals obtain environmental
5 training in the context of environmental management and long term goals;

6 (3) Institutions of higher learning, private individuals and
7 corporations have indicated the need for assistance and cooperation;

8 (4) Assistance from public and private sources is available for
9 environmental studies and research including but not limited to water
10 education programs, computerized centralization of data for watershed
11 planning utilizing comparative risk assessment for resource, business
12 development, and quality of life; and

13 (5) Establishment of a center for environmental studies and
14 assertion of a commitment and dedication on the part of the State to
15 environmental studies, planning and education, would enable and encourage
16 development of environmental programs available to and for the benefit of all
17 citizens.

18 (b) To facilitate the provision of assistance and advice in
19 environmental studies and research and the development of environmental
20 education and watershed planning, there shall hereby be established a not-
21 for-profit "Arkansas Center for Environmental Studies," hereinafter referred
22 to as the "Center." The Center is established for the purpose of
23 environmental studies and research, including but not limited to the
24 following areas:

25 (1) Environmental education programs;

26 (2) Environmental management through watershed planning and
27 comparative risk assessment;

28 (3) State-wide environmental data access by environmental
29 management and conservation agencies, for cooperation in environmental
30 studies and research, environmental education programs, and watershed
31 planning and management; and

32 (4) Encouraging public and private assistance, including
33 application for and receipt of grants, and solicitation for endowments and
34 donations, participation and organization of fund-raisers, and for in-kind
35 services.

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8-10-103. Establishment and Board of Directors.

(a) The Center shall be incorporated and maintained in accordance with the laws of this state.

(b) The Center shall be governed by a Board of Directors, hereinafter referred to as the "Board," consisting of seven (7) individuals, as follows:

(1) Director of the Department of Pollution Control and Ecology, the Water Education Team Program Director, and the Watershed Planning Program Director, who shall serve as ex officio voting members.

(2) There shall be four (4) additional voting members,

including: (i) Communication/Education Coordinator of the Arkansas Environmental Federation or a business/industry representative to be selected by the Board from three candidates to be nominated by the Arkansas Environmental Federation;

(ii) A representative of the agricultural community to be selected by the Board from five candidates nominated one each by the following: Arkansas Farm Bureau; Arkansas Soil and Water Conservation Commission; Arkansas Cattlemen's Association; Arkansas Pork Producers' Association; and Arkansas Poultry Federation.

(iii) An education representative to be selected by the Board from five candidates designated by the following: Field Services, Science Specialist of the State Department of Education; Director of the Arkansas Water Research Center at the University of Arkansas at Fayetteville; State 4-H RESQ Coordinator; State Coordinator of Project Learning Tree of the Arkansas Forestry Association; and State Coordinator of Project WILD of Arkansas Game & Fish; and

(iv) A citizen representative of the environmental community to be selected by the Board from four candidates nominated one each by the following: Arkansas Conservation Coalition; Arkansans for Environmental Reform; The Ozark Society, Inc.; and Arkansas Wildlife Federation.

(c) The Board selection process of nominated candidates provided in i, ii, iii, and iv above, shall initially be by ex officio members of the Board and shall be by all Board members in the case of replacement as a result of resignation or death.

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8-10-104. Power and duties.

(a) The Board of Directors shall be the governing body of the Center and shall make and establish all policy not already provided herein for the Center and be responsible for all duties, business and financial affairs of the not-for-profit corporation as allowed and provided for in the Articles of Incorporation and By-Laws.

(b) The Board shall furnish a financial report on an annual basis to the Legislature for information and disclosure purposes.

(c) The Board shall provide for and appoint an Advisory Council, to be provided for in the By-Laws, to facilitate assistance and advice in the development of programs, studies and activities with representatives from business, industry, agriculture, environmental management agencies, education, and others as set forth therein.

(d) Funds administered by the Center shall not be used to supplement or augment functions performed by state agencies through appropriations; PROVIDED, HOWEVER, nothing shall be construed to prevent the Center from funding environmental research projects.

8-10-105. Inter-agency Cooperation.

The departments, agencies, and officers of the state and its subdivisions shall cooperate with the Center in the furtherance of its activities and purposes."

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

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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