

State of Arkansas
86th General Assembly
Regular Session, 2007

A Bill

SENATE BILL 970

By: Senator Salmon

For An Act To Be Entitled

AN ACT TO AUTHORIZE SOIL AND WATER CONSERVATION
DISTRICTS TO PROVIDE TECHNICAL ASSISTANCE,
MONITORING, AND INSPECTIONS FOR CONTAMINATION
FROM VARIOUS SOURCES; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO AUTHORIZE SOIL AND WATER
CONSERVATION DISTRICTS TO PROVIDE
TECHNICAL ASSISTANCE, MONITORING, AND
INSPECTIONS FOR CONTAMINATION FROM
VARIOUS SOURCES.

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

SECTION 1. Arkansas Code Title 15, Chapter 20, Subchapter 1 is amended to add an additional section to read as follows:

15-20-102. State agency memoranda of agreement with the Arkansas Natural Resources Commission.

(a) The Department of Health and Human Services, the Arkansas Department of Environmental Quality, and the Oil and Gas Commission, or their successors, may enter into memoranda of agreement with conservation districts and the Arkansas Natural Resources Commission under which conservation districts may provide technical assistance, monitoring, and inspection services pursuant to state and federal programs.

(b)(1) Conservation districts may enter into memoranda of agreement with the Department of Health and Human Services, the Arkansas Department of Environmental Quality, and the Oil and Gas Commission, or their successors,



1 and the Arkansas Natural Resources Commission to provide technical
2 assistance, monitoring, and inspection services within their district
3 boundaries understate and federal programs.

4 (2) While performing duties under a memorandum of agreement
5 under this section and to the extent that the employees of the agency
6 entering into the memorandum of agreement with the conservation district are
7 authorized to do so, conservation district employees may enter private
8 property within the contracting district to conduct monitoring and
9 inspections on behalf of the agency.

10 (3) Conservation district employees who carry out monitoring and
11 inspections under other law or rule shall be limited by provisions of the
12 other law or rule concerning entry onto private property.

13 (c) Monitoring and inspection reports developed by conservation
14 districts may be the basis of administrative, civil, or criminal action as if
15 the monitoring and inspection reports were made by agents or employees of the
16 applicable agency entering into the memorandum of agreement.

17 (d) Expenses related to the provision of technical assistance,
18 monitoring, and inspection services by conservation districts under memoranda
19 of agreement under this section with the Department of Health and Human
20 Services, the Arkansas Department of Environmental Quality, and the Oil and
21 Gas Commission, or their successors, may be paid through appropriation to the
22 Arkansas Natural Resources Commission.