

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023

A Bill

SENATE BILL 467

4
5 By: Senator Irvin

For An Act To Be Entitled

8 AN ACT TO AMEND LAW CONCERNING THE ARKANSAS POLLUTION
9 CONTROL AND ECOLOGY COMMISSION; TO AMEND THE
10 MEMBERSHIP OF THE ARKANSAS POLLUTION CONTROL AND
11 ECOLOGY COMMISSION; AND FOR OTHER PURPOSES.

Subtitle

15 TO AMEND THE LAW CONCERNING THE ARKANSAS
16 POLLUTION CONTROL AND ECOLOGY COMMISSION;
17 AND TO AMEND THE MEMBERSHIP OF THE
18 ARKANSAS POLLUTION CONTROL AND ECOLOGY
19 COMMISSION.

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

24 SECTION 1. Arkansas Code § 8-4-104(b), concerning the members of the
25 Arkansas Pollution Control and Ecology Commission, is amended to read as
26 follows:

27 (b) The Arkansas Pollution Control and Ecology Commission shall be
28 composed of ~~fifteen (15)~~ seven (7) members:

29 (1)(A) The Governor, by and with the advice and consent of the
30 Senate, shall appoint ~~eight (8)~~ four (4) members.

31 (B) Each congressional district shall be represented on
32 the Arkansas Pollution Control and Ecology Commission by ~~at least one (1)~~
33 ~~member, and no district shall have more than two (2) members of the eight (8)~~
34 ~~appointees.~~

35 (C)(i) The Governor shall not appoint a member to
36 represent any specific or special interest group, organization, or



1 philosophy.

2 (ii) However, in making appointments to the Arkansas
3 Pollution Control and Ecology Commission, the Governor shall appoint
4 individuals who have knowledge or expertise in matters within the
5 jurisdiction of the Arkansas Pollution Control and Ecology Commission,
6 including government, business or industry, agriculture and livestock,
7 forestry, health, ecology, recreation and tourism, ~~and~~ or geology.

8 (D) Each member appointed by the Governor shall be
9 appointed for a term of four (4) years; and

10 (2) The other ~~seven (7)~~ three (3) members of the Arkansas
11 Pollution Control and Ecology Commission shall be:

12 (A) The Secretary of the Department of Health, or his or
13 her designee;

14 (B) The Secretary of the Department of Agriculture, or his
15 or her designee; and

16 (C) The Director of the Arkansas State Game and Fish
17 Commission, or his or her designee;

18 ~~(D) The State Forester, or his or her designee on behalf
19 of the Arkansas Forestry Commission;~~

20 ~~(E) The Director of the Oil and Gas Commission, or his or
21 her designee;~~

22 ~~(F) The Director of the Arkansas Natural Resources
23 Commission, or his or her designee; and~~

24 ~~(G) The State Geologist, or his or her designee, on behalf
25 of the Arkansas Geological Survey.~~

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27 SECTION 2. Arkansas Code § 8-4-104(f)(2), concerning the members of
28 the Arkansas Pollution Control and Ecology Commission required for a quorum,
29 is amended to read as follows:

30 (2) ~~Nine (9)~~ A majority of members of the Arkansas Pollution
31 Control and Ecology Commission shall constitute a quorum to transact business
32 in both regular and special meetings.

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34 SECTION 3. Arkansas Code § 8-4-104(g)(2), concerning the
35 reimbursements and stipends for members of the Arkansas Pollution Control and
36 Ecology Commission appointed by the Governor, is amended to read as follows:

1 (2) The ~~other seven (7)~~ four (4) members appointed by the
2 Governor may receive expense reimbursement and stipends in accordance with §
3 25-16-901 et seq.

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5 SECTION 4. DO NOT CODIFY. TEMPORARY LANGUAGE.

6 (a) This act shall not shorten the term of any current member of the
7 Arkansas Pollution Control and Ecology Commission that is appointed by the
8 Governor but shall be implemented as terms expire, if a member voluntarily
9 resigns, and by filling vacancies on the commission.

10 (b) The removal of the following members under this act shall be
11 effective upon the effective date of this act, the:

12 (1) State Forester, or his or her designee on behalf of
13 the Arkansas Forestry Commission;

14 (2) Director of the Oil and Gas Commission, or his or her
15 designee;

16 (3) Director of the Arkansas Natural Resources Commission,
17 or his or her designee; and

18 (4) State Geologist, or his or her designee, on behalf of
19 the Arkansas Geological Survey.

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