

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

HOUSE BILL 2281

4
5 By: Representative Buchanan
6
7

For An Act To Be Entitled

8
9 "AN ACT TO RESTRUCTURE THE INDIVIDUAL SEWAGE DISPOSAL
10 SYSTEMS ADVISORY COMMITTEE; TO AMEND ARKANSAS CODE
11 SECTIONS 14-229-101 AND 14-229-102; AND FOR OTHER
12 PURPOSES. "
13

Subtitle

14
15 "AN ACT TO RESTRUCTURE THE INDIVIDUAL
16 SEWAGE DISPOSAL SYSTEMS ADVISORY
17 COMMITTEE. "
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code 14-229-101 is amended to read as follows:

23 "Individual Sewage Disposal Systems Advisory Committee - Creation -
24 Members.

25 (a) There is established an advisory committee, to be known as the
26 "Individual Sewage Disposal Systems Advisory Committee", for the purpose of
27 making recommendations, advising, and providing assistance to the ~~Program~~
28 ~~Administrator of the Environmental Program Section of the Division of~~
29 ~~Environmental Health Protection of the~~ Department of Health concerning the
30 utilization and application of ~~alternate and experimental~~ individual sewage
31 disposal systems.

32 (b) The advisory committee shall consist of twelve (12) members, to be
33 appointed as follows:

34 (1) A member of the Arkansas Home Builders Association, to be
35 appointed by the president of the association;

36 (2) A member of the Arkansas Real Estate Commission, to be

1 appointed by a majority vote of the commission;

2 (3) A member of the Arkansas Realtors Association, to be appointed
3 by the president of the association;

4 (4) One (1) member who shall be a currently serving or former
5 member of the board of a suburban improvement district or an officer or member
6 of an association of property owners created by and pursuant to state law and
7 organized for the purpose of maintaining common facilities, including sewage
8 disposal facilities, in unincorporated subdivisions in this state, to be named
9 by the Governor. However, in making the appointment, the Governor shall name
10 a person who has been a developer or a member or officer of the board of a
11 development company that has developed large unincorporated subdivisions in
12 two (2) or more counties in this state;

13 (5) One (1) member ~~Two (2) members~~ of the Septic Tank Research
14 Program of the University of Arkansas, to be named by the President of the
15 University of Arkansas;

16 (6) Two (2) licensed soil classifiers, to be named by the
17 Governor;

18 (7) Two (2) designated representatives to be named by the
19 Governor. One (1) designated representative is to be selected from each of
20 the four (4) congressional districts to ensure statewide representation;

21 (8) A soils professor from an accredited college or university to
22 be selected by the Governor;

23 ~~(6) The Director of the Division of Engineering, Department of~~
24 ~~Health;~~

25 ~~(7)(9) The Program Administrator of the Environmental Program~~
26 ~~Section, Division of Environmental Health Protection, Department of Health;~~
27 and

28 ~~(8)(10) One (1) field sanitarian, specialist or sanitarian~~
29 ~~supervisor to be named by the The Director of the Division of Environmental~~
30 ~~Health Protection, Department of Health;~~

31 ~~(9) The Director of the Arkansas Department of Pollution Control~~
32 ~~and Ecology or his designee;~~

33 ~~(10) The State Conservationist of the United States Department of~~
34 ~~Agriculture Soil Conservation Service, or his designee; and~~

35 ~~(11) The State Geologist with the Arkansas Geological Commission~~
36 ~~or his designee.~~

1 (c)(1) The six (6) members of the advisory committee appointed to serve
 2 thereon in the manner set forth in subdivisions (b)(1) through (b)(~~5~~)(7) of
 3 this section shall be appointed for terms of four (4) years.

4 (2) A vacancy in the term of any member due to death, resignation,
 5 or other cause shall be filled in the manner provided in this section for the
 6 original appointment for the unexpired portion of the term.

7 (d) Members of the advisory committee shall serve without pay but may
 8 receive expense reimbursement in accordance with 25-16-901 et seq.

9 (e)(1) The advisory committee shall elect from its membership a
 10 chairman, a vice-chairman, and a secretary-treasurer, who shall each serve a
 11 term of one (1) year. Officers shall be eligible for election to succeed
 12 themselves; however, the officers shall be limited to two (2) consecutive
 13 terms.

14 (2) The committee shall establish its own rules of procedure.

15 (3) The committee shall meet quarterly each calendar year; the
 16 time, place, and location of the quarterly meetings shall be scheduled and
 17 approved by a consensus of the committee. A special meeting may be called
 18 upon call by the chairman, ~~or~~ at the request of any five (5) members of the
 19 committee stated in writing, ~~or~~ at the request of the Director of the Division
 20 of Environmental Health Protection of the Department of Health, or ~~upon call~~
 21 by the Director of the Department of Health."

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 23 SECTION 2. Arkansas Code 14-229-102 is amended to read as follows:

24 "Individual Sewage Disposal Systems Advisory Committee-powers and
 25 duties.

26 The Individual Sewage Disposal Systems Advisory Committee shall have the
 27 following powers and duties:

28 (1) To advise with and make recommendations to the Director of the
 29 Department of Health and the Director of the Division of Environmental Health
 30 Protection Sanitarian Services of the Department of Health, concerning the
 31 utilization and application of ~~alternate and experimental~~ individual sewage
 32 disposal systems;

33 (2) To advise with and assist the Division of Environmental Health
 34 Protection Sanitarian Services in efforts to promote the experimentation,
 35 development, and improvement of individual sewage disposal systems;

36 (3) The committee shall advise and assist the State Board of Health in

1 adopting rules and regulations and interpreting regulations pertaining to
 2 individual sewage disposal systems; and

3 (34) To advise with and assist the Division of Environmental Health
 4 Protection Sanitarian Services in the development and implementation of:

5 (A) Training and educational programs for employees of the
 6 Division of Environmental Health Protection Sanitarian Services, to acquaint
 7 the employees with technological advances in the development of ~~experimental~~
 8 ~~and alternate systems for individual~~ sewage disposal systems;

9 (B) Opportunities for employees of the Division of Environmental
 10 Health Protection Sanitarian Services and designated representatives to
 11 participate in seminars and other training programs designed for their
 12 technological advancement, including the promulgation of guidelines and
 13 regulations for reimbursement of expenses for employees and doctors who engage
 14 in the training and education opportunities;

15 (C) The acquisition of laboratory testing equipment necessary for
 16 the conducting of experiments and testing of ~~experimental and alternate~~
 17 individual sewage disposal systems;

18 (D) The acquisition of necessary field supplies and equipment to
 19 enable the Division of Environmental Health Protection Sanitarian Services to
 20 engage in necessary field activities to assist property owners in the
 21 installation, operation, and repair of ~~experimental and alternate~~ individual
 22 sewage disposal systems, and to enable the department to offer technical
 23 advice, when requested by property owners, with respect to the operation or
 24 repair of the equipment;

25 (E) To provide, if funds are available therefor, technical
 26 assistance, materials, and equipment required for the modification or repair
 27 of experimental and alternate individual sewage disposal systems, which have
 28 been installed by property owners under permits issued by the department, of
 29 equipment approved by the department as being adequate to meet state
 30 individual sewage disposal systems standards; and

31 (F) To cooperate with and offer assistance to other public
 32 agencies, private developers, and home owners in the development,
 33 installation, operation, repair, modification, and improvement of ~~experimental~~
 34 ~~and alternate~~ individual sewage disposal systems for the purpose of developing
 35 the necessary technological advancements required to meet the standards
 36 prescribed by the Division of Environmental Health Protection Sanitarian

1 ~~Services~~ for the installation and operation of individual sewage disposal
2 systems deemed adequate to function, in accordance with the standards in the
3 particular area in which the systems are to be installed.”
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5 SECTION 3. All provisions of this act of a general and permanent nature
6 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
7 Revision Commission shall incorporate the same in the Code.
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9 SECTION 4. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.
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15 SECTION 5. All laws and parts of laws in conflict with this act are
16 hereby repealed.
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