

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

SENATE BILL 467

By: Senator Irvin

## For An Act To Be Entitled

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

### Subtitle

TO AMEND THE LAW CONCERNING THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION; AND TO AMEND THE MEMBERSHIP OF THE ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION.

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

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

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

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

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

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



philosophy.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 4. DO NOT CODIFY. TEMPORARY LANGUAGE.

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

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

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

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

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

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

**APPROVED: 4/11/23**