

## **Appendix A**

### **Act 696**

**An Act to Establish the Governor's Commission on Global Warming; to Direct the Commission to Study Issues Related to Global Warming and the Emerging Carbon Market; to Establish a Global Warming Pollutant Reduction Goal and Comprehensive Strategic Plan; and for Other Purposes**

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Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 696 of the Regular Session

As Engrossed: H3/7/07 H3/13/07

A Bill

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007

HOUSE BILL 2460

4  
5 By: Representatives Webb, Adcock, T. Baker, Blount, Bond, T. Bradford, Breedlove, E. Brown, J.  
6 Brown, Burris, Cash, Cheatham, Chesterfield, Cook, D. Creekmore, Dickinson, S. Dobbins, Dunn,  
7 Edwards, Garner, Hall, Harrelson, House, Hoyt, D. Hutchinson, Hyde, D. Johnson, J. Johnson, W.  
8 Lewellen, Lovell, Maloch, Moore, Pate, Pennartz, Petrus, Pickett, Pierce, Powers, S. Prater, Rainey,  
9 Reep, Reynolds, J. Roebuck, Saunders, Schulte, Shelby, L. Smith, Stewart, Sullivan, Sumpter, Wagner,  
10 Walters, Wills, Woods, *Rosenbaum, Maxwell*  
11 By: Senators Argue, Broadway, Brown, Bryles, Faris, J. Jeffress, Madison, Malone, Salmon, R.  
12 Thompson, *Crumbly*

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14  
15 **For An Act To Be Entitled**

16 AN ACT TO ESTABLISH THE GOVERNOR'S COMMISSION ON  
17 GLOBAL WARMING; TO DIRECT THE COMMISSION TO STUDY  
18 ISSUES RELATED TO GLOBAL WARMING AND THE EMERGING  
19 CARBON MARKET; TO ESTABLISH A GLOBAL WARMING  
20 POLLUTANT REDUCTION GOAL AND COMPREHENSIVE  
21 STRATEGIC PLAN; AND FOR OTHER PURPOSES.

22  
23 **Subtitle**

24 TO ESTABLISH THE GOVERNOR'S COMMISSION  
25 ON GLOBAL WARMING; TO DIRECT THE  
26 COMMISSION TO STUDY ISSUES RELATED TO  
27 GLOBAL WARMING; AND TO ESTABLISH A  
28 GLOBAL WARMING POLLUTANT REDUCTION GOAL  
29 AND COMPREHENSIVE STRATEGIC PLAN.

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

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34 SECTION 1. Commission established – Membership.

35 (a) The Governor's Commission on Global Warming is hereby created and



1 established, referred to hereafter as the "commission".

2 (b) The commission shall be composed of twenty-one (21) members  
3 appointed as follows:

4 (1) Two (2) members appointed by the President Pro Tempore of  
5 the Senate;

6 (2) Two (2) members appointed by the Speaker of the House of  
7 Representatives; and

8 (3) Seventeen (17) members appointed by the Governor as follows:

9 (A) One (1) member from the public energy sector;

10 (B) One (1) member from a rural electric cooperative;

11 (C) One (1) member from the municipal energy sector;

12 (D) Two (2) members from the agriculture sector;

13 (E) One (1) member from the forestry sector;

14 (F) Two (2) members from separate nonprofit environmental  
15 organizations;

16 (G)(i) Three (3) members who are scientists from an  
17 accredited state institution of higher education;

18 (ii) One (1) of the three (3) scientists shall be a  
19 climatologist;

20 (H) One (1) member from the state Chamber of  
21 Commerce/Associated Industries of Arkansas;

22 (I) One (1) member of the AFL-CIO;

23 (J) One (1) member who is an economist from an accredited  
24 state institution of higher education;

25 (K) One (1) member from the construction industry with  
26 experience in sustainable energy construction or design; and

27 (L) Two (2) members who are citizens at large.

28 (c) The commission shall establish and appoint an advisory body  
29 composed of the directors of the following state agencies or his or her  
30 designee:

31 (1) Arkansas Agriculture Department;

32 (2) Arkansas Department of Environmental Quality;

33 (3) Arkansas Forestry Commission;

34 (4) Arkansas Highway and Transportation Department;

35 (5) Arkansas Natural Resources Commission;

36 (6) Arkansas Public Service Commission;

1           (7) Arkansas State Game and Fish Commission;

2           (8) Department of Economic Development;

3           (9) Department of Parks and Tourism; and

4           (10) Oil and Gas Commission.

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6           SECTION 2. Co-chairs.

7           The commission shall have two (2) co-chairs to be elected from among  
8 the members of the commission.

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10          SECTION 3. Quorum.

11          A quorum of the commission shall consist of a majority of the members.

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13          SECTION 4. Vacancies.

14          A vacancy on the commission shall be filled as soon as possible by the  
15 appointing authority.

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17          SECTION 5. Purpose and duties.

18          (a) The commission shall conduct an in-depth examination and  
19 evaluation of the issues related to global warming and the potential impacts  
20 of global warming on the state, its citizens, its natural resources, and its  
21 economy, including without limitation, agriculture, travel and tourism,  
22 recreation, insurance, and economic growth and development.

23          (b) Based on the commission's evaluation of the current global warming  
24 data, the assessment of global warming mitigation strategies, and the  
25 available global warming pollutant reduction strategies, the commission shall  
26 set forth:

27                 (1) A global warming pollutant reduction goal; and

28                 (2) A comprehensive strategic plan for implementation of the  
29 global warming pollutant reduction goal.

30          (c) The commission shall present its global warming pollutant  
31 reduction goal and comprehensive strategic plan for consideration to the  
32 Eighty-Seventh General Assembly and develop findings and recommendations as  
33 may be directed thereafter by the Eighty-Seventh General Assembly.

34          (d) The purpose of the global warming pollutant reduction goal and  
35 comprehensive strategic plan is to place Arkansas in a position to help  
36 stabilize the global climate, to allow Arkansas to lead the nation in

1 attracting clean and renewable energy industries to our state, and to reduce  
2 consumer energy dependence on current carbon-generating technologies and  
3 expenditures.

4 (e) In fulfilling its purpose under this act, the commission shall:

5 (1) Review current scientific literature on the causes of global  
6 warming;

7 (2) Review actions taken by the federal government and by other  
8 states to address global warming;

9 (3) Evaluate the available data regarding emissions of  
10 greenhouse gases from within the state and evaluate the extent to which  
11 reductions in the emissions of greenhouse gases in the state may affect  
12 global warming;

13 (4) Evaluate the economic opportunities for the state from the  
14 emerging carbon market that may result from international, national, and  
15 local efforts to address the effect of global warming;

16 (5) Conduct a cost-effectiveness analysis based on the projected  
17 expenses of taking immediate action versus delayed action to address the  
18 effect of global warming on individuals, households, local and state  
19 governments, businesses, educational institutions, medical institutions,  
20 agricultural operations, and other sectors identified by the commission; and

21 (6) Evaluate the benefit of any action taken at the state level,  
22 either by or within this state or by other states, at the national level, or  
23 at the international level to address the effect of global warming on  
24 individuals, households, local and state governments, businesses, educational  
25 institutions, agricultural operations, medical institutions, and other  
26 sectors identified by the commission.

27 (7) The Governor's Commission on Global Warming is authorized to  
28 accept gifts, grants, and donations for use in carrying out its purpose and  
29 duties.

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31 SECTION 6. Additional duties.

32 The commission may work cooperatively with other states and federal  
33 governmental agencies to organize a Governor's forum on global warming,  
34 including its causes, impacts, challenges, and opportunities in the region.

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36 SECTION 7. Staffing.

1       Upon the prior approval of the Legislative Council of the General  
2 Assembly, the Director of the Bureau of Legislative Research shall assign  
3 professional staff to the commission to aid in its work.

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5       SECTION 8. Meetings.

6       The Governor shall convene the first meeting of the commission, which  
7 shall be at the State Capitol. Further meetings shall be at the call of the  
8 co-chairs.

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10       SECTION 9. Report.

11       The commission shall report its findings and recommendations to the  
12 Governor on or before November 1, 2008, in order to report its findings and  
13 recommendations to the Eighty-Seventh General Assembly.

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15       SECTION 10. Life of commission.

16       The commission shall be abolished on or before December 31, 2009, at  
17 the discretion of the Governor.

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19       SECTION 11. EMERGENCY CLAUSE. It is found and determined by the  
20 General Assembly of the State of Arkansas that it is imperative that Arkansas  
21 study the scientific data, literature, and research on global warming to  
22 determine whether global warming is an immediate threat to the citizens in  
23 the State of Arkansas; that the potential impact of global warming on the  
24 state and its citizens, its natural resources, and the economy necessitates a  
25 thorough review by the state and a strategy to deal with the consequences of  
26 global warming; that economic opportunities might arise from an emerging  
27 carbon market tailored to reduce carbon emissions; that failure to take  
28 necessary steps to prevent, stabilize, or mitigate the effects of global  
29 warming will cause irreparable harm to the lives and livelihoods of  
30 Arkansans; and that this act is immediately necessary to ensure the welfare  
31 and well-being of the citizens of this state. Therefore, an emergency is  
32 declared to exist and this act being immediately necessary for the  
33 preservation of the public peace, health, and safety shall become effective  
34 on:

35       (1) The date of its approval by the Governor;

36       (2) If the bill is neither approved nor vetoed by the Governor,

1 the expiration of the period of time during which the Governor may veto the  
2 bill; or

3 (3) If the bill is vetoed by the Governor and the veto is  
4 overridden, the date the last house overrides the veto.

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*/s/ Webb, et al*

**APPROVED: 3/30/2007**