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DEPARTMENT OF ARKANSAS NATURAL & CULTURAL HERITAGE

BILL CLINTON — GOVERNOR  
ROSE CRANE — DIRECTOR

PAUL RIVIERE  
SECRETARY OF STATE  
LITTLE ROCK, ARKANSAS

December 12, 1979

Ms. Peggy Haley  
Office of Secretary of State  
State Capitol  
Little Rock, Ark. 72201

Dear Peggy:

Enclosed is a collection of the various rules and regulations our Central Administration has on file for each of our agencies.

One of the items on the agenda of our Agency Directors meeting held today was the Administrative Procedures Act and their responsibility for compliance. We are leaving the responsibility of forwarding the materials at the agency level but we in Central will follow up periodically to see that you get the information as required.

Thank you for your help. Please contact me if you need further information.

Sincerely,

*Sarah M. Spencer*

Sarah M. Spencer  
Deputy Director

SS:jd

cc: Rose Crane

Enclosures

DEPARTMENT OF ARKANSAS NATURAL AND CULTURAL HERITAGE

MEMORANDUM

Dec 13 1 16 PM '79  
PAUL RIVIERE  
SECRETARY OF STATE  
LITTLE ROCK, ARKANSAS

TO: Paul Riviere

FROM: Rose Crane *RC*

DATE: November 27, 1979

RE: Rules and Procedures of Arkansas Natural and Scenic Rivers  
Commission

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Attached is a copy of the rules of procedures of Natural and Scenic Rivers Commission in compliance with the administration procedure act.

If you need any more information, please let me know.

## RULES OF PROCEDURE OF

### ARKANSAS NATURAL AND SCENIC RIVERS COMMISSION

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1. MEETINGS. All meetings of the Commission shall be called by the Chairman on a regular basis. The staff shall send written notice of each meeting to every member of the Commission. All meetings shall be open to the public.
2. OFFICERS. The Chairman shall preside at all meetings of the Commission, may join in debate, and shall vote on all questions.

In the absence of the Chairman, the Vice Chairman shall preside at the meeting. In the absence of the Chairman and Vice Chairman, a temporary Chairman shall be elected by the members present at the meeting.

Officers shall be elected once a year at the first meeting after January 14, 1981 and shall serve for a period of one year or until their successors are elected. Officers may be elected to succeed themselves.

The Secretary shall take the minutes and shall make available to public inspection all minutes, resolutions, and records of the Commission at all reasonable times.
3. QUORUM. A Quorum shall consist of seven(7) members of the Commission.
4. ADVISORY COUNCIL. The Council shall elect a Chairman. The Council shall be invited to all meetings of the Commission. The Council shall provide technical assistance and information to the Commission, but may not vote on Commission decisions. Each Council member shall serve for one year beginning November 13, 1979. Members may be appointed to succeed themselves.
5. VOTING. Every member present when a question is stated by the presiding officer shall vote, unless excused by the members present because of some personal interest in the question. If so excused, he shall not vote. At the request of any two members, a roll call vote shall be taken on any question. A vote or question may be reconsidered at any time during the same meeting, or at the first meeting held thereafter.
6. ADOPTION OF ROBERT'S RULES. The rules of parliamentary practice comprised in the latest published edition of Robert's Rules of Order, revised, shall be followed by the Commission when applicable.
7. LOCAL ADVISORY COMMITTEES. The Local Advisory Committees shall consist of three(3) members of the Commission appointed by the Chairman to represent the State at large and five(5) members shall be residents of the river area appointed by the local county Quorum Court. If the river flows through more than one county, four(4) members shall be appointed by each county Quorum Court. At least three(3) of the local residents of the five(5) appointed from each county shall be riparian landowners.

The Local Advisory Committee shall assist and advise the Commission concerning the planning for management and protection of the river.

The Committee shall serve at the call of the Commission or on call of a majority of the members of the Committee.

The Committee shall elect a Chairman from its members.

RULES OF PROCEDURE OF  
ARKANSAS NATURAL HERITAGE COMMISSION

1. MEETINGS. All meetings of the Commission shall be regular meetings, and of equal dignity and effect. The commission shall meet at least once a calendar month.

All meetings shall be called by the Chairman or by three members of the Commission, such call to be filed with the Secretary not less than ten days before the date of the meeting. The Secretary shall send written notice of each meeting to every member of the Commission, such notice to be mailed at least seven days before the date of the meeting. The notice of meeting shall specify the time and place of such meeting, and a copy of such notice shall be filed with the minutes of the meeting.

All meetings of the Commission shall be open to the public, except as provided in Section 5 hereof.

2. OFFICERS. The Chairman shall preside at all meetings of the Commission, may join in debate, and shall vote on all questions. On roll call votes, the Chairman's name shall be called last.

In the absence of the Chairman, the Vice-Chairman shall preside at the meeting. In the absence of both the Chairman and Vice-Chairman, a temporary Chairman shall be elected by the members present at the meeting.

The secretary shall record the minutes of each meeting, notify members of meetings as provided in Section 1 hereof, record the vote on all motions, be the custodian of the records of the Commission, and engage in correspondence on behalf of the commission at the direction thereof. In the absence of the Secretary, a temporary secretary shall be appointed by the presiding officer of the meeting. Secretary may delegate these duties to employee of commission, but shall be responsible therefor.

Officers shall be elected once a year at first meeting after January 1<sup>st</sup> and shall serve for a period of one year or until their successors are elected. Officers may be elected to succeed themselves.

The secretary shall make available to public inspection all minutes, resolutions and records of the Commission at all reasonable times.

The secretary shall send to members and advisors of the commission a copy of the minutes of the previous meeting and, where possible, a copy of each report and document to be considered at the next meeting, at least seven days before the date of each meeting.

3. QUORUM. A quorum shall consist of five members of the commission.

4. ORDER OF BUSINESS. The order of business shall be as follows:

- A. Call to order by presiding officer.
- B. Roll call.
- C. Adoption of agenda.
- D. Correction and approval of minutes of previous meetings.
- E. Reports of officers, committees and members.
- F. Unfinished and new business.
- G. Adjournment.

5. ADVISORS, CONSULTANTS AND VISITORS. Advisors, consultants and visitors in addition to advisors provided by law, advisors and consultants may be called upon from time to time to appear before the commission either gratis or to receive compensation for their services as by law provided.

The commission shall meet in closed executive session without consultants or visitors by vote of five members of the commission, provided that the commission shall not meet in closed executive meeting to conduct any business required by law to be conducted in an open meeting; provided, that any member of House of Representatives and Senate chosen as official advisors to the commission shall have the right to attend and participate in all meetings of the commission and shall employ all rights and duties of membership except the right to vote.

Advisors and consultants may join in debate at any time, but may not vote on any business before the commission. No person other than a member of the commission, an advisor or consultant shall address the commission except with the consent of a majority of the members present. In case of any disturbances or disorderly conduct, the presiding officer shall require the meeting place to be cleared of visitors.

6. VOTING. Every member present when a question is stated by the presiding officer, shall vote thereon, unless excused by the members present, because of some personal interest in the question, if so excused he shall not vote. At the request of any two members, a roll call vote shall be taken on any question.

A vote or question may be reconsidered at any time during the same meeting, or at the first meeting held thereafter.

7. ADOPTION OF ROBERT'S RULES. The rules of parliamentary practice comprised in the latest published edition of Robert's "Rules of Order, Revised" shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with law, or with the rules of the Commission.

8. PROCEDURE FOR HEARINGS. Whenever a person or delegation other than a member, advisor, or consultant of the commission is to be heard on any matter, the Chairman shall, if appropriate, first explain the purpose of the nature preserves system and Commission and state the policy of the Commission upon the subject at issue.

Whenever a person or delegation is present any request made by such person or delegation should be passed to the next meeting for the purpose of voting.

9. PROCEDURE FOR APPROVAL OF NATURAL AREAS. Each area proposed as a natural area shall be examined and reported on in writing to commission members, advisors and consultants by person or persons designated by the Commission. The report on an area shall include information on its location, legal description, ownership, provision for custody and management, general character, natural types, degree of past disturbance, relation to adjoining lands, and potential as a natural area.

If after receipt of such report the commission finds that acquisition of the area as a natural area appears to be appropriate and feasible, it may adopt a resolution giving preliminary approval to acquire same. Such resolution shall include a definite or approximate legal description of the area but need not refer to proposed conditions of acquiring same, if any. Adoption of such resolution shall not bind the commission to any further action.

At a meeting subsequent to the meeting at which preliminary approval of an area was given, the commission may give final approval of such area provided that either the legal description of the area and the conditions of dedication, if any, are identical in form to those set forth in the resolution of preliminary approval of dedication, or the proposed articles of dedication in final form were made available at the preceding commission meeting or sent to commission members, advisors, and consultants at least 7 days before the date of the meeting at which final approval of the area is considered.

10. COOPERATE. The commission will cooperate and contract with any federal, state or local governmental agency, private organization or individual to carry out its policies and purposes.

11. REGISTRY AND INVENTORY. The commission will maintain a registry or inventory of lands and waters in the State, whether publicly or privately owned, that retain their primeval character to a substantial degree, or that have flora, fauna, ecological, geological, or archaeological features of significant scientific, educational or recreational interest, said registry to be known as the registry of natural areas; and to maintain an inventory of habitats of rare, vanishing, or endangered species, subspecies, or populations of plants and animals, and other records of natural areas.

12. REPORT OF NATURAL AREAS. The commission will submit to the Governor and the General Assembly, and publish, on or before the first day of December of each year, a report which shall describe and account for the status and condition of each portion of the system and of each natural area listed in the registry of natural areas.

13. SUSPENSION OF RULES. Any provision of these rules may be suspended or waived in a specific instance by vote of six (6) members of the commission upon adoption of a motion setting out the circumstances necessitating such action.

14. AMENDMENT OF RULES. These rules may be amended by affirmation of six(6) members of the commission, provided that written notice of such a proposed amendment is given to all commission members not less than two weeks prior to the meeting where such a change is to be voted, setting out the proposed amendment.

SEVERAL ABILITY. If any part of these rules, or the application thereof, shall be held invalid, the remainder hereof shall nevertheless be and remain in full force and effect.

Adopted by Resolutions

This 22<sup>nd</sup> day of August, 1975