

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative George**

A Bill ACT 5 OF 1991
HOUSE BILL 1115

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7 **For An Act To Be Entitled**

8 "AN ACT TO REQUIRE PERSONS AND ENTITIES CONDUCTING OR
9 PROPOSING TO CONDUCT ANY FIELD SEISMIC OPERATIONS IN THE
10 STATE TO OBTAIN A PERMIT FROM AND POST BOND WITH THE
11 ARKANSAS OIL AND GAS COMMISSION; AND FOR OTHER PURPOSES."

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

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15 SECTION 1. It is unlawful for any person or entity to perform any field
16 seismic operations in the state unless such person or entity first obtains a
17 permit to do so as provided for in this act.

18 Any person or entity desiring to perform field seismic operations in the
19 state shall make application to the Oil and Gas Commission for a permit to do
20 so. The application for a permit shall be made on forms prescribed by the
21 Commission. The application shall include the name and principal business
22 address of the applicant, the location in the state where the applicant plans
23 to conduct field seismic activities, a designated agent for service of process
24 in Arkansas, and such other information as may be prescribed by regulation of
25 the Commission. The application shall be accompanied by a bond in the amount
26 of fifty thousand dollars (\$50,000.00) or such larger amount as may be
27 prescribed by the Commission, not to exceed two hundred fifty thousand dollars
28 (\$250,000.00). The bond shall be executed by the applicant, as principal, and
29 a corporate surety approved by the Commission, and shall be conditioned that
30 the permittee shall pay all damages resulting from such seismic operations.
31 The bond shall be maintained at an amount not less than fifty thousand dollars
32 (\$50,000.00) nor more than two hundred fifty thousand dollars (\$250,000.00) as
33 may be set by the Commission, so long as the permittee is conducting field
34 seismic operations in the state and until released by the Commission.

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36 SECTION 2. The Oil and Gas Commission shall have authority to make such

1 reasonable rules, regulations and orders as necessary from time to time for
2 the proper administration and enforcement of this act and to require the
3 payment of a registration fee of two hundred fifty dollars (\$250.00) or such
4 sum as the Commission may prescribe for each application for registration
5 filed hereunder, provided that in no event shall the fee exceed five hundred
6 dollars (\$500.00).

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8 SECTION 3. Any person who conducts any field seismic operation in the
9 state without having obtained a permit hereunder or without having fully
10 complied with the provisions of this act or any rules and regulations adopted
11 by the Commission pursuant to this act shall be subject to a fine of one
12 thousand dollars (\$1,000.00) for each day such operation continues. Any
13 person who, for the purpose of evading this act or any rule, regulation or
14 order made thereunder, shall intentionally make or cause to be made any false
15 entry or statement of fact in any application report required to be made by
16 this act or by any rule, regulation or order made hereunder; or who, for such
17 purpose, shall omit to make, or cause to be omitted, any entry, statement of
18 fact or report required to be made by this act or any rule, regulation or
19 order made hereunder; or who, for such purpose, shall move out of the
20 jurisdiction of the state, shall be deemed guilty of a misdemeanor and shall
21 be subject to a fine of not more than five thousand dollars (\$5,000.00) or
22 imprisonment for a term of not more than six (6) months or to both such fine
23 and imprisonment.

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25 SECTION 4. All provisions of this act of a general and permanent nature
26 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
27 Revision Commission shall incorporate the same in the Code.

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29 SECTION 5. If any provision of this act or the application thereof to
30 any person or circumstance is held invalid, such invalidity shall not affect
31 other provisions or applications of the act which can be given effect without
32 the invalid provision or application, and to this end the provisions of this
33 act are declared to be severable.

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35 SECTION 6. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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3 SECTION 7. EMERGENCY. It is hereby found and determined by the General
4 Assembly that seismic testing in the state is not adequately regulated, that
5 this act is designed to correct this situation and that the best interest of
6 the state of Arkansas can be served by the enactment of this legislation, and
7 this act is necessary for preservation of the public peace, health, safety and
8 welfare and should be immediately effective. Therefore, an emergency is
9 hereby declared to exist and this act being necessary for the preservation of
10 the public peace, health and safety shall be in full force and effect from and
11 after its passage and approval.

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APPROVED: 1-28-91

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