

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Scott**

A Bill

SENATE BILL 345

For An Act To Be Entitled

8 *"AN ACT TO DECLARE THE DOUBLE-CRESTED CORMORANT A NUISANCE*
9 *TO THE FISH FARMING INDUSTRY; TO REQUEST THE ARKANSAS*
10 *GAME AND FISH COMMISSION TO WORK WITH THE U.S. FISH AND*
11 *WILDLIFE SERVICE AND THE ARKANSAS CONGRESSIONAL DELEGATION*
12 *TO PROVIDE BETTER PROTECTION OF FARM-RAISED FISH FROM*
13 *PREDATION BY DOUBLE-CRESTED CORMORANTS; AND FOR OTHER*
14 *PURPOSES."*

Subtitle

17 *"DECLARING THE DOUBLE-CRESTED CORMORANT A NUISANCE AND*
18 *ENCOURAGING ELIMINATION OF TREATY PROTECTION OF THE BIRD."*

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

22 SECTION 1. The double-crested cormorant is hereby declared a nuisance
23 and the Arkansas Game and Fish Commission is requested to work with the U.S.
24 Fish and Wildlife Service and the Arkansas congressional delegation to permit
25 bona fide fish farmers and other owners of private lakes in Arkansas to
26 eliminate depredating double crested cormorants under such terms as may be
27 agreed upon by the Arkansas Game and Fish Commission and the U.S. Fish and
28 Wildlife Service.

30 SECTION 2. All provisions of this act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.

34 SECTION 3. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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5 SECTION 4. All laws and parts of laws in conflict with this act are
6 hereby repealed.

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8 SECTION 5. EMERGENCY. It is hereby found and determined by the General
9 Assembly that fish and minnow farming is very important to the Arkansas
10 economy; that the cormorant is inflicting serious hardship on fish and minnow
11 farmers in the state by killing and consuming large quantities of pond-raised
12 fish and minnows; that there is no practical method to protect the fish and
13 minnows from the large flocks of cormorant in the state; that this act is
14 designed to correct this undesirable situation and should be given effect
15 immediately. Therefore, an emergency is hereby declared to exist and this act
16 being necessary for the preservation of the public peace, health and safety
17 shall be in full force and effect from and after its passage and approval.

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/s/ Senator Scott

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