

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

# A Bill

**ACT 378 OF 1993**  
**SENATE BILL 429**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE TITLE 15, CHAPTER 57,  
9 SUBCHAPTER 3 TO EXEMPT THE NONCOMMERCIAL REMOVAL OF CLAY,  
10 BAUXITE, SAND, GRAVEL, OR OTHER MATERIALS BY A LANDOWNER  
11 FOR CONSTRUCTION, IMPROVEMENT OR MAINTENANCE OF ROADS ON  
12 SAID LANDS; AND FOR OTHER PURPOSES."

## Subtitle

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15 "TO AMEND THE ARKANAS OPEN-CUT LAND RECLAMATION ACT."

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

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19 SECTION 1. Arkansas Code Annotated § 15-57-310 is amended by adding a  
20 new section to read as follows:

21 "(e) The requirements of the Arkansas Open-Cut Land Reclamation Act  
22 shall not apply to the noncommercial removal of clay, bauxite, sand, gravel or  
23 other materials from lands by the owner of said lands for the exclusive use by  
24 the landowner for construction, improvement or maintenance of roads on said  
25 lands."

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27 SECTION 2. Arkansas Code Annotated § 15-57-315 is amended by adding a  
28 new section to read as follows:

29 "(14) The removal of gravel or other materials from streams or stream  
30 beds shall comply with the requirements of the Act and Regulation 15. There  
31 shall be no mining in streams designated as Extraordinary Resource Waters as  
32 identified in Regulation 2."

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34 SECTION 3. All provisions of this act of a general and permanent nature  
35 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
36 Revision Commission shall incorporate the same in the Code.

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SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

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 All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: 3/5/93

