

As Engrossed: 4/6/95

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**

A Bill

ACT 1110 OF 1995
HOUSE BILL 1778

4 **By: Representatives Purdom, Watts, Lavery, Hudson, and Whorton**

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For An Act To Be Entitled

8 "AN ACT TO CREATE A TASK FORCE TO STUDY ISSUES SURROUNDING
9 MINING IN THE STREAMS OF THIS STATE; AND FOR OTHER
10 PURPOSES."

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Subtitle

12
13 "AN ACT TO CREATE A TASK FORCE TO STUDY
14 ISSUES SURROUNDING MINING IN THE STREAMS
15 OF THIS STATE."

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

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19 *SECTION 1. There is hereby created a task force to be chaired by the*
20 *director of the Department of Pollution Control & Ecology or his designee and*
21 *consisting of the following members appointed by the Governor: two (2)*
22 *representatives from the Arkansas Conservation Coalition; one (1) county*
23 *judge; two (2) representatives of industry; two (2) private citizens owning*
24 *land adjoining a stream of this state; and any other appointments the Governor*
25 *deems appropriate to insure a full range of concerned and informed opinion.*
26 *The task force shall also consist of one (1) member appointed by the Governor*
27 *from three (3) nominees submitted by the Speaker of the House of*
28 *Representatives and one (1) member appointed by the Governor from three (3)*
29 *nominees submitted by the President Pro Tem of the Senate. Representatives*
30 *from the Game and Fish Commission, the Parks and Tourism Department, the Soil*
31 *and Water Commission, and the Attorney General's Office shall serve in an*
32 *advisory capacity.*

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34 *SECTION 2. The task force shall study the impact of stream bed mining*
35 *on the economic and natural resources of this state, giving specific*
36 *consideration to the effect of stream bed mining on fisheries, water quality,*

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1 and the overall recreational, scenic, and economic potential of the state's
2 water resources. The task force shall report and make recommendations to the
3 Governor and the Legislative Council by December 1, 1996.

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5 SECTION 3. Nothing in this act shall be construed as

6 (1) Limiting or superseding any legislative act prohibiting mining in
7 streams designated as extraordinary resource waters, or detracting from the
8 General Assembly's conclusion that all Arkansas streams must be protected from
9 indiscriminate mining;

10 (2) Affecting the authority of the Arkansas Pollution Control & Ecology
11 Commission to promulgate regulations implementing any other act of the General
12 Assembly; or

13 (3) Limiting the authority of the Arkansas Department of Pollution
14 Control & Ecology to enforce any duly enacted laws or regulations limiting or
15 prohibiting stream bed mining.

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

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21 SECTION 5. If any provision of this act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 act are declared to be severable.

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

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30 /s/Rep. Purdom, et al

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32 APPROVED: 4-10-95

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