As Engrossed: 2/21/91

1	State of Arkansas
2	78th General Assembly A BillACT 609 OF 199
3	Regular Session, 1991 SENATE BILL 442
4	By: Senators Moore, Bookout, Wilson, Miles, Bearden, Bradford, and Edwards
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7	For An Act To Be Entitled
8	"AN ACT TO CODIFY THE ATTORNEY GENERAL'S AUTHORITY TO
9	REPRESENT THE STATE IN ENVIRONMENTAL LAW SUITS; AND FOR
10	OTHER PURPOSES."
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12	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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14	SECTION 1. LEGISLATIVE FINDING. It is the public policy of this state
15	that vigorous efforts be made to protect our fragile environment. Recognizing
16	that duties concerning protection of the environment have been assigned to
17	several agencies of state government, it is found that to enhance efforts to
18	protect the environment, authority for instituting civil suits to protect the
19	environment in the courts of this state and of the United States should be
20	placed in the office of the Attorney General.
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22	SECTION 2. Arkansas Code 25-16-702 is amended by adding at the end
23	thereof the following new subsection:
24	"(e) The Attorney General shall have authority to initiate civil
25	lawsuits under all state and federal environmental protection statutes."
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27	SECTION 3. This Act shall not be construed as superseding or impairing
28	any legal authority currently vested with the Arkansas Department of Pollution
29	Control and Ecology, nor shall this Act in any way affect programs delegated
30	by federal agencies to the Arkansas Department of Pollution Control and
31	Ecology.
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33	SECTION 4. All provisions of this act of a general and permanent
34	nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
35	Code Revision Commission shall incorporate the same in the Code.
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SECTION 5. If any provision of this act or the application thereof to
 2 any person or circumstance is held invalid, such invalidity shall not affect
 3 other provisions or applications of the act which can be given effect without
 4 the invalid provision or application, and to this end the provisions of this
 5 act are declared to be severable.
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         SECTION 6. All laws and parts of laws in conflict with this act are
 8 hereby repealed.
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                                   /s/Moore et al
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                                  APPROVED: 3-19-91
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