

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative Molinaro**

A Bill

ACT 840 OF 1995
HOUSE BILL 1738

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 17-43-201 TO CHANGE THE
9 MEMBERSHIP OF THE WATER WELL CONSTRUCTION COMMISSION TO
10 INCLUDE A REPRESENTATIVE OF THE GROUNDWATER SOURCE HEAT
11 PUMP INDUSTRY; AND FOR OTHER PURPOSES."

Subtitle

14 "TO CHANGE THE MEMBERSHIP OF THE WATER
15 WELL CONSTRUCTION COMMISSION TO INCLUDE
16 A MEMBER OF THE GROUNDWATER SOURCE HEAT
17 PUMP INDUSTRY."

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code § 17-43-201 is amended to read as follows:

22 "17-43-201. Creation - Members.

23 (a) There is created a Commission on Water Well Construction which
24 shall exercise its duties as provided by this chapter.

25 (b) The commission shall consist of seven (7) members, composed of:

26 (1) The Director of the Department of Health or his designated
27 representative;

28 (2) The Director of the Arkansas Soil and Water Conservation
29 Commission or his designated representative;

30 (3) One (1) person engaged in the business of manufacturing,
31 distributing, or supplying heat pumps which require heat pump water wells.
32 The person shall be recommended by the Arkansas Heat Pump Association or the
33 EnviroEnergy Group or another groundwater source industry association. The
34 person shall be a licensed HVACR contractor under Arkansas Code §§ 17-50-101,
35 et seq., and shall be appointed by the Governor and confirmed by the Senate;
36 and

1 (4) Four (4) persons who are, by trade, water well drillers. The
2 water well drilling members shall be two (2) water well drillers whose
3 principal place of business is southeast of the fall line in Arkansas and who
4 are actively engaged in the construction of water wells and pump installation
5 in the Mississippi Embayment or Gulf Coastal Plain as represented on the
6 geologic map of Arkansas; and two (2) water well drillers whose principal
7 place of business is northwest of the fall line in Arkansas and who are
8 actively engaged in the construction of water wells and pump installation
9 business in the Ozark Region, Arkansas River Valley or Ouachita Mountain
10 Region as represented on the geologic map of Arkansas. These members shall be
11 appointed by the Governor and confirmed by the Senate and shall be certified
12 under the provisions of §§ 17-43-301 and 17-43-302. No person may be
13 appointed as a water well driller member of the Commission unless his
14 principal place of business is at least twenty (20) miles straight line from
15 any other water well driller members.

16 (c) Terms of office of appointed members whose terms began before
17 February 1st, 1995 shall commence on January 15 and shall end on January 14 of
18 the fourth year following the year in which the term commenced. Terms of
19 office of appointed members whose terms begin after January 31st, 1995 shall
20 commence on January 15 and shall end on January 14 of the fifth year following
21 the year in which the term commenced.

22 (d) Any vacancies arising on the membership of the commission for any
23 reason other than expiration of the regular terms for which the members were
24 appointed shall be filled by appointment by the Governor, to be effective
25 until the expiration of the regular terms, subject, however, to the
26 confirmation of the Senate when it is next in session.

27 (e) The five (5) business and trade members of the commission shall be
28 paid the sum of fifty dollars (\$50.00) per day for their attendance at
29 meetings and hearings of the commission plus mileage at the rate authorized by
30 state travel regulations for official travel for state employees from place of
31 residence to meetings of the commission and return. For travel in the
32 discharge of any of their other duties, they shall be reimbursed for their
33 necessary expenses."

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35 SECTION 2. All provisions of this act of general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 3. If any provisions of this act or the application thereof to
5 any person or circumstance is held invalid, the invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provisions or application, and to this end the provisions of this
8 act are declared to be severable.

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

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14 APPROVED: 3-31-95

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