

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

# A Bill

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 "AN ACT TO CREATE A TASK FORCE TO STUDY  
13 ISSUES SURROUNDING MINING IN THE STREAMS  
14 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*  
25 *Governor deems appropriate to insure a full range of concerned and informed*  
26 *opinion. The task force shall also consist of one (1) member appointed by*  
27 *the Governor 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*

1 *consideration to the effect of stream bed mining on fisheries, water quality,*  
2 *and the overall recreational, scenic, and economic potential of the state's*  
3 *water resources. The task force shall report and make recommendations to the*  
4 *Governor and the Legislative Council by December 1, 1996.*

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6 *SECTION 3. Nothing in this act shall be construed as*

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

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

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

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

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

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29 *hereby repealed.*

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31 */s/Rep. Purdom, et al*

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