

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4
5 By: Senator Scott
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7

A Bill

SENATE BILL 193

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 15-20-207 TO AUTHORIZE THE
10 SOIL AND WATER CONSERVATION COMMISSION TO ENTER INTO AN
11 INTERSTATE COMPACT TO PRESERVE AND PROTECT UNDERGROUND
12 AQUIFERS; AND FOR OTHER PURPOSES."

Subtitle

15 "TO AUTHORIZE THE SOIL AND WATER
16 CONSERVATION COMMISSION TO ENTER INTO AN
17 INTERSTATE COMPACT TO PRESERVE AND
18 PROTECT UNDERGROUND AQUIFERS."

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

23 SECTION 1. Is hereby found and determined by the General Assembly that
24 the Sparta Aquifer is being depleted and damaged by salt water intrusion; that
25 the preservation and protection of the Sparta Aquifer can best be accomplished
26 through an interstate compact; that the Soil and Water Conservation Commission
27 is currently authorized to enter into interstate compacts to protect
28 interstate waters occurring in streams, lakes, reservoirs, and natural or
29 artificial channels or impoundments; and that the Commission's authority
30 should be expanded to allow it to enter into interstate compacts for the
31 protection of underground aquifers.

33 SECTION 2. Arkansas Code 15-20-207(1), which enumerates powers of the
34 Soil and Water Conservation Commission, is amended to read as follows:

35 "(1) Enter into negotiations with the duly authorized representatives
36 of adjoining states relating to the protection and use of interstate waters

1 occurring in underground aquifers, streams, lakes, reservoirs, or natural or
2 artificial channels or impoundments; and, with the consent of the Congress of
3 the United States, enter into written compacts in relation thereto which shall
4 become effective upon their ratification by the General Assembly and the
5 legislative bodies of the other states which are parties thereto. In order
6 that it may perform its functions more effectively, the commission shall
7 employ a water resources engineer, and the person so employed, at the time of
8 his employment and during the continuance thereof, shall hold a certificate of
9 registration granted by the State Board of Registration for Professional
10 Engineers and Land Surveyors;"

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

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

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

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25 SECTION 6. It is hereby found and determined by the General Assembly
26 that the Sparta Aquifer is being depleted and damaged by salt water intrusion;
27 that the preservation and protection of the aquifer can best be accomplished
28 through an interstate compact; that the compact should be entered into between
29 the Soil and Water Conservation Commission of Arkansas and agencies of other
30 states; that the Commission does not now have that authority and should be
31 given that authority as soon as possible in order to begin the process of
32 negotiating the interstate compact as soon as possible. Therefore, an
33 emergency is declared to exist and this act being immediately necessary for
34 the preservation of the public peace, health and safety shall become effective
35 on the date of its approval by the Governor. If the bill is neither approved
36 nor vetoed by the Governor, it shall become effective on the expiration of the

1 period of time during which the Governor may veto the bill. If the bill is
2 vetoed by the Governor and the veto is overridden, it shall become effective
3 on the date the last house overrides the veto.

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