

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H3/9/05
A Bill

HOUSE BILL 2606

5 By: Representative M. Martin
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8 **For An Act To Be Entitled**

9 AN ACT CONCERNING WATERSHED PROTECTION; AND FOR
10 OTHER PURPOSES.
11

12 **Subtitle**

13 AN ACT CONCERNING WATERSHED PROTECTION.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 *SECTION 1. Arkansas Code Title 4, Chapter 35, is amended to add an*
19 *additional subchapter to read as follows:*

20 4-35-401. Comprehensive watershed protection plan.

21 (a) By January 1, 2007, all water authorities in the State of Arkansas
22 shall:

23 (1) Establish a comprehensive watershed protection plan that is
24 prepared by a qualified and licensed professional environmental or ecological
25 engineer. The plan shall:

26 (A) Identify and categorize all areas of critical use and
27 the associated requirements for full and partial condemnation;

28 (B) Calculate the costs for purchase of condemned lands
29 and the compensation for the property devaluation due to limited or
30 restricted use for watershed protection;

31 (C) Present the associated costs of condemnation and
32 compensation to customers or rate payers both in total and as future impact
33 fees or increased service costs to finance implementation of the plan; and

34 (D) Calculate the future impact of the watershed
35 protection plan on property tax values and revenues and submit the
36 calculation to all school districts, counties, and municipalities affected by



1 the plan; and

2 (2) Make the comprehensive watershed protection plan publicly
3 available upon completion and shall republish the plan within thirty (30)
4 days of any changes or updates made to the plan.

5 (b)(1) All costs incurred for the development of the watershed
6 protection plan and the associated costs to implement the plan shall be the
7 sole responsibility of the water authority and shall not be funded by the
8 state.

9 (2) All required inspection and enforcement measures shall be
10 the sole responsibility of the water authority and shall not be provided by
11 or funded by the state.

12 (c) Property not identified for full or partial condemnation in the
13 watershed protection plan on January 1, 2010, shall be permanently exempt
14 from full or partial condemnation by the water authority.

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16 /s/ M. Martin
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