

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Senator Gordon**

# A Bill

**SENATE BILL 272**

## **For An Act To Be Entitled**

8 "AN ACT TO EXEMPT SINGLE PURPOSE FLOOD CONTROL DAMS FROM  
9 ANNUAL DAM PERMIT FEES; AND FOR OTHER PURPOSES."

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

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13 SECTION 1. Arkansas Code of 1987 Annotated, §15-22-219 is amended to  
14 read as follows:

15 "(a) Any person applying for a permit and having plans and  
16 specifications examined under §15-22-211 shall, in consideration therefor, pay  
17 to the commission an initial dam permit application review fee equal to one  
18 percent (1%) of the estimated cost of construction for the dam, which, in any  
19 case, shall not be less than one hundred dollars (\$100), nor more than five  
20 hundred dollars (\$500). The dam permit application review fee shall be  
21 assessed as an initial fee upon application for the dam permit or upon a major  
22 modification of a dam requiring the issuance of a revised permit.

23 (b) Any person obtaining a permit under the provisions of §15-22-210  
24 shall, in consideration therefor, pay to the commission a fee equal to five  
25 cents (5¢) per acre-foot of water which the dam involved is designed to  
26 impound, which, in any case, shall not be less than twenty-five dollars  
27 (\$25.00), nor more than two thousand dollars (\$2,000). The permit shall  
28 provide that the same fee shall be paid by that person to the commission each  
29 year thereafter during which the dam is maintained, on or before the  
30 anniversary date of the issuance of the permit.

31 (c) Annual permit fees payable under subsection (b) of this section  
32 shall not be required for single purpose flood control structures.

33 (d)-(e) The fees in subsections (a) and (b) of this section shall be  
34 deposited by the commission to the Arkansas Water Development Fund to be used  
35 by the commission as provided by law and shall not be paid into the State

1 Treasury."

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3 SECTION 2. All provisions of this act of a general and permanent  
4 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
5 Code Revision Commission shall incorporate the same in the Code.

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

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

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17 */s/Gordon*

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