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Opinion No. 86-091

September 18, 1986

Marion McDonald, Chairman  
Arkansas Committee on  
Waterwell Construction  
2915 South Pine Street  
Little Rock, Arkansas 72204

Dear Mr. McDonald:

This office acknowledges receipt of your request for an official opinion as to (1) whether or not the Committee has the authority to regulate pump installers under present law, (2) or if this is Plumbing and is the responsibility of the State Health Department, or (3) whether no present laws exist which deal with pump installing and therefore pump installing is not regulated.

The Committee on Waterwell Construction was created and holds its authority under the Arkansas Waterwell Construction Act, Act 641 of 1969, as amended, codified at Ark. Stat. Ann. §21-2001 et seq. The act empowers the Committee to issue certificates of registration to drillers who meet the statutory requirements, Ark. Stat. Ann. §21-2010, and waterwell contractor licenses, Ark. Stat. Ann. §21-2011. The Waterwell Construction Act of 1969 contains no authority to regulate pump installers.

The installation of a pump within a water well does not fall within the definition of plumbing as it appears in Ark. Stat. Ann. §71-1205. Thus, it appears that the installers of pumps in water wells are not required to be licensed by any state regulatory body.

The foregoing opinion, which I hereby approve, was prepared by Assistant Attorney General Arnold M. Jochums.

Sincerely,

  
STEVE CLARK  
Attorney General

JSC:AMJ:jk