

Stricken language would be deleted from and underlined language would be added to present law.
Act 11 of the 1st Extraordinary Session

1 State of Arkansas
2 85th General Assembly
3 First Extraordinary Session, 2006
4

As Engrossed: H4/4/06
A Bill

Call Item 33

HOUSE BILL 1027

5 By: Representatives Ledbetter, Overbey, Goss
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For An Act To Be Entitled

9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO ACT 1963
10 OF 2005; AND FOR OTHER PURPOSES.
11

Subtitle

12 AN ACT TO MAKE TECHNICAL CORRECTIONS TO
13 ACT 1963 OF 2005.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 8-14-104 is amended to read as follows:
20 8-14-104. Shielding - Prohibitions - Exemptions.

21 (a) After January 1, 2006:

22 (1)(A) No public funds shall be used to install an outdoor
23 lighting fixture unless it is shielded.

24 (B) The provisions of subdivision (a)(1)(A) of this
25 *section shall not apply to any municipality or county if the governing body*
26 *of the municipality or county determines by ordinance or to a municipally*
27 *owned utility if the municipal employee responsible for procurement*
28 *determines that the cost of acquiring a shielded outdoor lighting fixture*
29 *will be ~~more expensive than the alternative~~ prohibitive after comparing:*

30 (i) The cost of the fixtures; and

31 (ii) The projected energy cost of the operation of
32 the fixtures;

33 ~~(C) No state funds shall be used for the installation of a~~
34 ~~shielded or unshielded mercury vapor outdoor lighting fixture;~~

35 (2) The Arkansas Department of Environmental Quality shall
36 promulgate regulations prohibiting any person or entity from knowingly



1 placing or disposing of ~~lights~~ the bulb or tube portion of an electric
2 lighting device containing hazardous levels of mercury in a landfill after
3 January 1, 2008; and

4 (3)(A) Each electric public utility shall offer a shielded
5 lighting service option.

6 (B) Not later than January 1, 2006, each electric public
7 utility shall file an application with the Arkansas Public Service Commission
8 to establish a schedule of rates and charges for the provision of a shielded
9 lighting service option to the utility's customers.

10 (C) The commission shall require each electric public
11 utility to inform its customers of the availability of the shielded lighting
12 service.

13 (b) This chapter does not apply to acquisitions of:

14 (1) Incandescent outdoor lighting fixtures of one hundred fifty
15 watts (150W) or less or other light sources of seventy watts (70W) or less;

16 (2) Outdoor lighting fixtures on advertisement signs on
17 interstate or federal primary highways;

18 (3)(A) Outdoor lighting fixtures existing and legally installed
19 before August 12, 2005.

20 (B) However, if an existing outdoor lighting fixture
21 exempted from the provisions of this chapter under subdivision (b)(3)(A) of
22 this section needs to be replaced, the acquisition of the replacement outdoor
23 lighting fixture shall be subject to the provisions of this chapter;

24 (4) Navigational lighting systems at airports or other lighting
25 necessary for aircraft safety; and

26 (5) Outdoor lighting fixtures that are necessary for worker
27 safety at farms, ranches, dairies, or feedlots or industrial, mining, or oil
28 and gas facilities.

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30 /s/ Ledbetter, et al

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33 APPROVED: 4/10/2006