

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE §8-6-703, THE SAME BEING
9 SECTION 3 OF ACT 870 OF 1989, AND SUBSECTION (b) OF
10 ARKANSAS CODE §8-6-707, THE SAME BEING SUBSECTION (b) OF
11 SECTION 9 OF ACT 870 OF 1989, TO INCREASE THE MEMBERSHIP
12 OF THE REGIONAL SOLID WASTE PLANNING BOARDS AND SOLID
13 WASTE SERVICE AREA BOARDS TO INCLUDE THE MAYORS OF ALL
14 CITIES IN EACH COUNTY OF A DISTRICT WITH A POPULATION OF
15 OVER 5,000 PEOPLE; AND FOR OTHER PURPOSES."

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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 §8-6-703, the same being Section 3 of Act 870
20 of 1989, is hereby amended to read as follows:

21 "8-6-703. Creation of districts and boards - Members of boards.

22 (a) There are hereby created eight (8) regional solid waste planning
23 districts and eight (8) regional solid waste planning boards whose respective
24 jurisdictions shall correspond to the boundaries of the planning and
25 development districts established pursuant to 14-166-202.

26 (b)(1) The county judge of each county within a district shall be a
27 member of the board for that district. In addition thereto, the mayor of all
28 cities in each county of the district with a population over five thousand
29 (5,000), according to the latest federal decennial census, shall be a member
30 of the board for that district.

31 (2) Each board shall select one (1) member to each board from its
32 respective district who is a owner or operator of a private-sector landfill to
33 represent the private solid waste management industry and shall select three
34 (3) members from the general public to serve on the board.

35 (3) The term of the owner or operator of a private-sector

1 landfill shall be for three (3) years, and the terms for the general public
2 members shall be staggered three-year terms."

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4 SECTION 2. Subsection (b) of Arkansas Code §8-6-707, the same being
5 subsection (b) of Section 9 of Act 870 of 1989, is hereby amended to read as
6 follows:

7 "(b)(1) After receiving approval of the commission, the solid waste
8 service area shall succeed to all powers and duties of the regional solid
9 waste planning district within its designated area.

10 (2) The solid waste service area shall be managed by a service
11 area board which shall succeed to all powers and duties of the regional board
12 within the area's jurisdiction.

13 (A) The county judge of each county with the service area
14 shall be a member of the service area board.

15 (B) In addition thereto, the mayor of all cities in each
16 county with a population over five thousand (5,000), according to the latest
17 federal decennial census, shall be a member of the service area board.

18 (C) Each service area board shall select one (1) member to
19 each board from their respective service area who is an owner or operator of a
20 private-sector landfill, if any exist within the service area, to represent
21 the private solid waste management industry and shall select three (3) members
22 from the general public to serve on the service area board.

23 (i) The term of the owner or operator of a private-
24 sector landfill, if any, shall be for three (3) years; and

25 (ii) The terms for the general public members shall
26 be staggered three-year terms."

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28 SECTION 3. All provisions of this act of general and permanent nature
29 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
30 Revision Commission shall incorporate the same in the Code.

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32 SECTION 4. Severability. In the event any provision of this act is
33 declared or adjudged to be invalid or unconstitutional, such declaration or
34 adjudication shall not affect the remaining portions of this act which can be
35 given effect without the invalid or unconstitutional provision. The remaining

1 portions of this act shall remain in full force and effect as if the portion
2 declared or adjudged invalid or unconstitutional was not originally a part of
3 the act.

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

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