

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

Call Item 33

# A Bill

HOUSE BILL 1027

5 By: Representatives Ledbetter, Overbey  
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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.

## Subtitle

13 AN ACT TO MAKE TECHNICAL CORRECTIONS TO  
14 ACT 1963 OF 2005.  
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16

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 ~~a municipally owned utility if the municipal~~  
26 ~~employee responsible for procurement~~ any municipality or county if the  
27 governing body of the municipality or county determines by ordinance that the  
28 cost of acquiring a shielded outdoor lighting fixture will be ~~more expensive~~  
29 ~~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 containing mercury in a landfill after January  
2 1, 2008; and

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

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

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

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

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

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

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

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

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

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

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