

1 State of Arkansas As Engrossed: S2/21/19 S3/7/19 S3/14/19
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 377

4
5 By: Senators Irvin, *Flippo*
6 By: Representatives M. Gray, *McNair*

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE COLLECTION AND
10 DISTRIBUTION OF SOLID WASTE DISPOSAL AND
11 *TRANSPORTATION FEES; TO PROVIDE FUNDING FOR UNPAVED*
12 *ROADS; AND FOR OTHER PURPOSES.*

Subtitle

16 TO AMEND THE LAW CONCERNING THE
17 COLLECTION AND DISTRIBUTION OF SOLID
18 WASTE DISPOSAL AND TRANSPORTATION FEES.

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

23 SECTION 1. Arkansas Code § 8-6-607 is amended to read as follows:
24 8-6-607. Collection of fees.

25 ~~Fees imposed under the separate provisions of this subchapter shall be~~
26 ~~collected as follows~~ (a) On or before January 15, April 15, July 15, and
27 October 15 of each year, each landfill permittee and each solid waste
28 transporter shall:

29 (1) ~~Each landfill permittee and each solid waste transporter~~
30 ~~shall submit~~ Submit to the Arkansas Department of Environmental Quality ~~on or~~
31 ~~before January 15, April 15, July 15, and October 15 of each year~~ a quarterly
32 report that accurately states the total weight or volume of solid waste
33 received at the landfill or transported out of state during the quarter just
34 completed; and

35 (2) ~~On or before January 15, April 15, July 15, and October 15~~
36 ~~of each year, each landfill permittee and solid waste transporter shall pay~~



1 Pay to the department the full amount of disposal and transportation fees
2 imposed and collected under this subchapter due for the preceding quarter
3 just completed.

4 ~~(3)~~ (b)(1) Except as provided in subdivisions ~~(4)(b)(2)~~ and
5 ~~(5)(3)~~ of this section, the disposal and transportation fees collected under
6 this section shall be special revenues and shall be deposited into the State
7 Treasury to the credit of the Solid Waste Management and Recycling Fund for
8 administrative support of the Compliance Advisory Panel.

9 ~~(4)(A)(2)~~ (2) Twenty-five percent (25%) of the disposal fees
10 collected under subsection (a) of this section from landfills ~~where in which~~
11 a private industry bears the expense of operating and maintaining the
12 landfill solely for the disposal of wastes generated by the private industry
13 shall be deposited quarterly into a ~~special revenue fund to be created on the~~
14 ~~books of the Treasurer of State, the Auditor of State, and the Chief Fiscal~~
15 ~~Officer of the State and to be known as the "Marketing Recyclables Program~~
16 ~~Fund"~~ the Marketing Recyclables Program Fund.

17 ~~(B)~~ The Marketing Recyclables Program Fund shall be
18 administered by the department and used by the panel for the administration
19 and performance of the panel's duties; and

20 ~~(5)(3)~~ Beginning July 1, 2013, excluding Except for the disposal
21 fees that are to be deposited into the Marketing Recyclables Program Fund
22 under subdivision ~~(4)(b)(2)~~ of this section, the first one hundred fifty
23 thousand dollars (\$150,000) of the fees collected each fiscal year under this
24 section shall be deposited into the State Treasury and credited to the Crime
25 Information System Fund to be used exclusively for the scrap metal logbook
26 program, before disbursing moneys to the regional solid waste management
27 boards, the department shall deposit the following moneys into the following
28 funds each fiscal year:

29 (A) One hundred fifty thousand dollars (\$150,000) into the
30 Crime Information System Fund to be used exclusively for the scrap metal
31 logbook program; and

32 (B) Three hundred thousand dollars (\$300,000) into the
33 Arkansas Unpaved Roads Program Fund.

34
35 SECTION 2. Arkansas Code § 8-9-104, concerning the definitions related
36 to recycling, is amended to add an additional subdivision to read as follows:

1 (13) "Person" means an individual, municipality, other
2 governmental entity, or another entity recognized by law with rights and
3 duties.

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5 SECTION 3. TEMPORARY LANGUAGE. DO NOT CODIFY. This act applies to
6 annual disbursements under § 8-6-607 beginning in fiscal year 2020.

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9 /s/Irvin

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