

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1289 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S2/1/05 S2/17/05 S3/7/05 S3/10/05

A Bill

SENATE BILL 176

5 By: Senator Madison
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8 **For An Act To Be Entitled**

9 AN ACT TO ALLOW REGIONAL SOLID WASTE MANAGEMENT
10 BOARDS TO EMPLOY ENVIRONMENTAL OFFICERS WITH THE
11 SAME AUTHORITY AS COUNTY ENVIRONMENTAL OFFICERS;
12 AND FOR OTHER PURPOSES.
13

14 **Subtitle**

15 TO ALLOW REGIONAL SOLID WASTE MANAGEMENT
16 BOARDS TO EMPLOY ENVIRONMENTAL OFFICERS
17 WITH THE SAME AUTHORITY AS COUNTY
18 ENVIRONMENTAL OFFICERS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 8-6-704(b), regarding the powers and duties
24 of regional solid waste management boards, is amended to read as follows:

25 (b)(1) The regional solid waste management boards may:

26 ~~(1)(A)~~ Apply for such permits, licenses, certificates, or
27 approvals as may be necessary to construct, maintain, and operate any portion
28 of a solid waste management system and to obtain, hold, and use licenses,
29 permits, certificates, or approvals in the same manner as any other person or
30 operating unit of any other person;

31 ~~(2)(B)~~ Employ such engineers, architects, attorneys, real
32 estate counselors, appraisers, financial advisors, and other consultants and
33 employees as may be required in the judgment of the district and fix and pay
34 their compensation from funds available to the district therefor; ~~and~~

35 ~~(3)(C)~~ Purchase all kinds of insurance, including, but not



1 limited to, insurance against tort liability, business interruption, and
2 risks of damage to property; and

3 (D) Employ an environmental officer who may:

4 (i) Inspect all landfills;

5 (ii) Inspect other solid waste facilities;

6 (iii) Inspect waste haulers and other vehicles;

7 (iv) Insure compliance with all district
8 regulations;

9 (v) Collect evidence of noncompliance and present
10 the evidence to the prosecuting attorney; or

11 (vi) Issue citations for the violation of any
12 district regulation.

13 (2)(A) If a regional solid waste management board employs an
14 environmental officer under this subsection (b), then the environmental
15 officer may complete the training course for law enforcement officers at the
16 Arkansas Law Enforcement Training Academy.

17 (B) After satisfactory completion of the training course,
18 the environmental officer shall be a law enforcement officer.

19 (C) After satisfactory completion of the training course,
20 the environmental officer may:

21 (i) Carry firearms;

22 (ii) Execute and serve a warrant or other processes
23 issued under the authority of the district and related to violations of
24 district regulations; and

25 (iii) Make arrests and issue citations for
26 violations of district regulations regarding environmental protection.

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28 /s/ Madison

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31 APPROVED: 3/29/2005

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