

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 452 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 2305

5 By: Representative Pace
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 8-14-104 TO
10 ESTABLISH MAXIMUM MERCURY LEVELS FOR ELECTRIC
11 LIGHTING DEVICES THAT MAY BE PLACED IN A
12 LANDFILL; TO PROVIDE FOR THE DISPOSAL OF ELECTRIC
13 LIGHTING DEVICES THAT MAY NOT BE PLACED IN A
14 LANDFILL; AND FOR OTHER PURPOSES.

Subtitle

15
16 TO ESTABLISH MAXIMUM MERCURY LEVELS FOR
17 ELECTRIC LIGHTING DEVICES THAT MAY BE
18 PLACED IN A LANDFILL AND TO PROVIDE FOR
19 THE DISPOSAL OF ELECTRIC LIGHTING
20 DEVICES THAT MAY NOT BE PLACED IN A
21 LANDFILL.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code § 8-14-104(a), concerning hazardous levels of
28 mercury in electric lighting devices, is amended to read as follows:

29 (a) After January 1, 2006:

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

32 (B) Subdivision (a)(1)(A) of this section shall not apply
33 to any municipality or county if the governing body of the municipality or
34 county determines by ordinance or to a municipally owned utility if the
35 municipal employee responsible for procurement determines that the cost of



1 acquiring a shielded outdoor lighting fixture will be prohibitive after
2 comparing:

3 (i) The cost of the fixtures; and

4 (ii) The projected energy cost of the operation of
5 the fixtures;

6 (2) The Arkansas Department of Environmental Quality shall
7 promulgate regulations prohibiting any person or entity from knowingly
8 placing or disposing of the bulb or tube portion of an electric lighting
9 device containing hazardous levels of mercury in a landfill after January 1,
10 2008, if:

11 (A) The device contains more than two-tenths milligram per
12 liter (0.2 mg/l) of leachable mercury as measured by the Toxicity
13 Characteristic Leaching Procedure as set out in EPA test Method 1311; and

14 (B) Adequate facilities exist for the public to properly
15 dispose of the device described in subdivision (2)(A) of this section; and

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

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

22 (C) The commission shall require each electric public
23 utility to inform its customers of the availability of the shielded lighting
24 service.

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26 APPROVED: 3/22/2007
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