

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

SENATE BILL 427

5 By: Senator B. Ballinger
6 By: Representative Gazaway
7

For An Act To Be Entitled

9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 8 OF
10 THE ARKANSAS CODE CONCERNING ENVIRONMENTAL LAW; AND
11 FOR OTHER PURPOSES.
12
13

Subtitle

15 TO MAKE TECHNICAL CORRECTIONS TO TITLE 8
16 OF THE ARKANSAS CODE CONCERNING
17 ENVIRONMENTAL LAW.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 8-6-712(c)(2), concerning regulation of
23 solid waste disposal, is amended to read as follows to clarify references and
24 make a stylistic change:

25 (2) ~~Nothing in this section shall~~ This section does not prohibit
26 the collection or disposal of solid waste by a municipality with an existing
27 permitted landfill with a twenty-five-year capacity as of January 1, 1991,
28 when the ~~city~~ municipality bears the expense of operating and maintaining the
29 landfill and the landfill complies with United States Environmental
30 Protection Agency regulations and division ~~regulations~~ rules.
31

32 SECTION 2. Arkansas Code § 8-6-1701(1), concerning definitions related
33 to open burning of residential yard waste, is amended to read as follows to
34 clarify a definition:

35 (1)(A) "Open burning" means the incineration or combustion of waste
36 materials as a method of disposal without any means to control the fuel/air



1 ratio. ~~None of the activities exempted from rules as air pollution in § 8-4-~~
2 ~~305 or in rules adopted by the Arkansas Pollution Control and Ecology~~
3 ~~Commission shall constitute “open burning”, provided such~~

4 (B) “Open burning” does not include activities exempted from
5 rules as air pollution in § 8-4-305 or in rules adopted by the Arkansas
6 Pollution Control and Ecology Commission, if the activities exempted do not
7 cause a fire or safety hazard; and

8
9 SECTION 3. Arkansas Code § 8-7-1008(b)(1), concerning employee
10 information and training under the Public Employees’ Chemical Right to Know
11 Act, is amended to read as follows to clarify a reference:

12 (b)(1) The information and training program provided pursuant to this
13 section shall be developed in accordance with rules to be promulgated by the
14 Director of the ~~Department of Labor or the~~ Division of Labor pursuant to § 8-
15 7-1011.

16
17 SECTION 4. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

18 It is the intent of the General Assembly that:

19 (1) The enactment and adoption of this act shall not expressly or
20 impliedly repeal an act passed during the regular session of the Ninety-Third
21 General Assembly;

22 (2) To the extent that a conflict exists between an act of the
23 regular session of the Ninety-Third General Assembly and this act:

24 (A) The act of the regular session of the Ninety-Third
25 General Assembly shall be treated as a subsequent act passed by the General
26 Assembly for the purposes of:

27 (i) Giving the act of the regular session of the
28 Ninety-Third General Assembly its full force and effect; and

29 (ii) Amending or repealing the appropriate parts of the
30 Arkansas Code of 1987; and

31 (B) Section 1-2-107 shall not apply; and

32 (3) This act shall make only technical, not substantive, changes
33 to the Arkansas Code of 1987.

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35 **APPROVED: 3/25/21**