

Hall of the House of Representatives
89th General Assembly - Fiscal Session, 2014
Amendment Form

JBC 2/20/14 (2)

Subtitle of House Bill No. 1040

AN ACT FOR THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY APPROPRIATION FOR
THE 2014-2015 FISCAL YEAR.

Amendment No. 2 to House Bill No. 1040

Amend House Bill No. 1040 as engrossed, (version: 02/11/2014 09:42:38 AM)

Insert an additional SECTION immediately following SECTION 44 to read as follows:

" SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL POST-CLOSURE TRUST FUND.

(a) The General Assembly finds that:

(1) A growing number of regional solid waste management districts within the state are facing difficulty in funding the necessary costs of closure and post-closure care of landfills owned by the districts; and

(2) Without closure and post-closure care of landfills, irreparable harm to human health and the environment will occur.

(b) Notwithstanding § 8-6-1001 et seq. and Acts 2013, No. 1202, § 41, the Arkansas Department of Environmental Quality also may:

(1) Expend monies from the Landfill Post-Closure Trust Fund to a state-approved contractor or the regional solid waste management district to complete all actions necessary to achieve the final closure and post-closure care of a landfill owned by a regional solid waste management district if the department determines that the regional solid waste management district:

(A) Has filed for protection under federal bankruptcy law;

(B) Is unable to meet its debt obligations in the ordinary course of its operations; or

(C) Is otherwise insolvent; and

(2) Institute a civil action against the regional solid waste management district and all of the entities composing the regional solid waste management district to seek the recovery of any funds expended from the Landfill Post-Closure Trust Fund under subdivision (b)(1) of this section.

(c) This section is in effect only from July 1, 2014, through June 30, 2017."

AND



Appropriately renumber the subsequent SECTION numbers of the bill.

The Amendment was read
By: Joint Budget Committee
By: Senator J. Key
ALB/ALB - 02-20-2014 10:06:27
ALB006

Chief Clerk