

Hall of the House of Representatives

92nd General Assembly - Regular Session, 2019

Amendment Form

Subtitle of House Bill No. 1771

TO ESTABLISH THE ARKANSAS LITTER REDUCTION AND DEPOSIT BEVERAGE CONTAINER RECYCLING ACT; TO REQUIRE THE LABELING OF DEPOSIT BEVERAGE CONTAINERS SOLD IN ARKANSAS; TO ESTABLISH THE DEPOSIT BEVERAGE CONTAINER RECYCLING PROGRAM.

Amendment No. 1 to House Bill 1771

Amend House Bill No. 1771 as originally introduced:

Add Representatives Clowney, D. Douglas, Glover, Murdock, Richardson, Scott, D. Whitaker as cosponsors of the bill

Immediately following the enacting clause, add an additional section to read as follows:

"SECTION 1. DO NOT CODIFY. Legislative findings and intent.

(a) The General Assembly finds that:

(1) The average Arkansan consumes beverages from seven hundred thirty-nine (739) beverage containers per year;

(2) In 2015, Arkansas consumers threw away an estimated one billion four hundred million (1,400,000,000) beverage containers;

(3) A study conducted in Michigan found documentation of a reduction in litter following the implementation of a deposit beverage container program;

(4) According to the study, beverage container deposits were tied to both a reduction in costs for litter cleanup and a reduction in injuries to children caused by glass container litter;

(5) Studies also show a correlation between beverage container deposits and reduced damages to farm operations by a reduction in livestock injuries and in tractor tire damage caused by litter;

(6) Following implementation of a deposit beverage container program, Michigan is estimated to have saved four million six hundred thousand dollars (\$4,600,000) from injury prevention and reduced farm damage;

(7) Deposit beverage container programs play a critical role in diverting waste from roadways, streams, and landfills;

(8) Deposit beverage container programs increase recycling and reduce litter;



(9) Arkansas communities are currently expending money to dispose of valuable materials in landfills, which a deposit beverage container program could instead use to create an industry and positively impact the economy;

(10) Landfills are a finite resource that take up valuable land;

(11) In Arkansas, some landfills take up over two hundred fifty (250) acres of land;

(12) Litter and illegal dumping create problems throughout Arkansas's rural areas and farm land;

(13) Arkansas spends an estimated five million dollars (\$5,000,000) each year to collect and remove litter from highways;

(14) A deposit beverage container program would keep a projected fifty-eight thousand (58,000) tons of materials out of Arkansas's landfills each year, which would save both landfill space and valuable land used for landfills;

(15) An estimated increase of eight hundred million (800,000,000) beverage containers would be recycled with a deposit beverage container program, which would require a more robust recycling infrastructure in Arkansas and result in an increase in jobs;

(16) Recycling is largely inaccessible to rural Arkansans; and

(17) A deposit beverage container program in Arkansas would help make rural recycling more available with the implementation of privately owned certified redemption centers and would effectively incentivize recycling.

(b) The General Assembly intends by this act to alleviate issues in the state related to litter, illegal dumping, and associated environmental problems by incentivizing and increasing recycling of deposit beverage containers."

AND

Page 3, line 35, delete "and"

AND

Page 4, line 2, delete "volume." and substitute the following:
"volume; and

(x) Single-serve wine and hard cider."

AND

Page 4, delete lines 31 and 32 and substitute the following:

"(x) Instant drink powder;

(xi) Soup or broth; or

(xii) Beverages bottled by a microbrewery-restaurant, small farm winery, or small brewery;"

AND

Page 8, delete lines 10 through 12, and substitute the following:

"(a)(1) A deposit beverage distributor shall pay to the Deposit Beverage Container Fund a deposit fee on each deposit beverage container manufactured in or imported into this state.

(2) The deposit fee shall appear as a separate line item on an invoice or sales receipt.

(3) The deposit fee shall not be subject to state tax."

AND

Page 9, line 5, delete "charge" and substitute "charge, including the refund value and overhead support fee, not to exceed six cents (6¢),"

AND

Page 11, line 31, delete "office" and substitute "office be under penalty of perjury"

AND

Page 17, line 29, delete "processor" and substitute "collector"

AND

Page 20, line 36, delete "and"

AND

Page 21, line 4, delete "office." and substitute the following:
"office; and

(7) Report to the office on the type and tonnage of material collected and subsequently recycled for purposes of calculating solid waste diversion amounts and meeting regional solid waste reduction goals."

AND

Page 22, line 9, add a new subsection to read as follows:

"(d) The office shall make all reports created by or provided to the office available online."

AND

Page 23, line 29, delete "committee" and substitute "advisory committee"

AND

Page 23, line 31, delete "committee" and substitute "advisory committee"

AND

Page 23, line 34, add a new subsection to read as follows:

"(d) The office shall make all advisory committee meeting notices, minutes, reports, meeting recordings, and related documents of the committee available online."

AND

Page 28, line 16, delete "may" and substitute "shall"

AND

Page 28, delete lines 27 through 32, and substitute the following:

"(4) Provide grants to local governments for water infrastructure and to the Arkansas Department of Transportation for state aid to county roads for improvements to county roads and grants to nonprofit organizations or other entities to support solid waste management, recycling, curbside recycling, litter control, and other programs and activities related to the purposes of this subchapter"

AND

Appropriately renumber the sections of the bill

The Amendment was read _____
By: Representative V. Flowers
CRH/CRH - 03-22-2019 14:32:20
CRH155

Chief Clerk