

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

400

By: Senator Chaffin

For An Act To Be Entitled

"AN ACT TO REQUIRE EACH CITY AND COUNTY OPERATING A SOLID WASTE LANDFILL IN THE STATE OF ARKANSAS TO MAINTAIN AN ARMY OF EARTHWORMS AS AN ENVIRONMENTALLY SAFE ALTERNATIVE TO CLOSING AND COVERING LANDFILLS; TO REQUIRE THE SALE OF EARTHWORMS AND THEIR BY-PRODUCTS; AND FOR OTHER PURPOSES."

WHEREAS, earthworms eat paper, corrugated pasteboards, food scraps, and almost any other type of organic matter and excrete castings that are extremely highly valued as potting soil for growers of flowering plants, and

WHEREAS, earthworms convert foods and cellulose waste products into a natural and useful and rich fertilizers for plants, and

WHEREAS, earthworms are themselves a market product of some demand as fishing bait and as highly useful mechanisms of soil aeration in the plant and ornamental tree business, and

WHEREAS, earthworms, as they bore through the soils, tend to reduce the absolute volume of any filling materials and thereby increase the useful life of any landfill using them in their operations,

NOW THEREFORE,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. This act shall be known and may be cited as the "Arkansas Earthworm Act".

SECTION 2. As used in this act, unless the context otherwise requires:

(1) "Castings" means any substances which are cast off or out, as skin or earth excreted by earthworms;

(2) "Earthworm" means any of several species of widely distributed hermaphroditic worms that move through the soils by means of setae, mainly of the family Lumbricidae;

(3) "Landfill" means any permitted disposal site for solid waste materials under the Arkansas Solid Waste Management Act, Arkansas Code 8-6-201 et seq.;

(4) "Solid waste" means all putrescible and non-putrescible wastes in solid or semi-solid form, including, but not limited to, yard or food wastes, waste glass, waste metals, waste plastics, waste papers, waste pasteboard, and all other solid and semi-solid wastes resulting from industrial, commercial, agricultural, community and residential activities.

SECTION 3. On and after the effective date of this act, each city and county in Arkansas operating a solid waste landfill shall be required to maintain an army of earthworms to reduce the volume of solid waste accumulated in the municipal and county landfills within the State of Arkansas. Each city and county landfill shall be required to invest in the development of earthworm technology to encourage the development of this environmentally safe alternative to covering and closing solid waste landfills.

SECTION 4. Each city and county operating a solid waste landfill in the State of Arkansas shall be required to market earthworms and all by-products of earthworm technology, loose soils and castings for fill soils and potting soils for plants. All funds recovered from the profits of any sales of earthworms and their by-products shall be returned to the city or county general funds and shall be used to offset the costs of operating the municipal or county solid waste landfill or solid waste management system.

SECTION 5. Each city and county operating a solid waste landfill is authorized by this act to enact local ordinances to regulate the operation of their earthworm army and its related technology and any and all sales of surplus earthworms and their by-products.

SECTION 6. All provisions of this act of general and permanent nature

are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 7. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 8. Emergency. It is hereby found and determined by the Seventy-Seventh General Assembly of the State of Arkansas that landfill capacity in the State of Arkansas is quickly reaching crisis levels and that the use of earthworm technology should be required to promote an economically feasible alternative to increasing landfill capacity and at the same time to promote an environmentally safe alternative to closing and covering landfill materials. Therefore, in order to promote this economically and environmentally safe alternative technology, an emergency is hereby declared to exist, and this act being necessary for the immediate preservation of the public peace, health, and safety, shall be in full force and effect from and after its passage and approval.