

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Fitch

A Bill

SENATE BILL 341

For An Act To Be Entitled

8 "AN ACT TO PROVIDE ENFORCEMENT AUTHORITY TO REGIONAL SOLID
9 WASTE MANAGEMENT DISTRICTS TO ENFORCE STATE, COUNTY, AND
10 DISTRICT SOLID WASTE LAWS, ORDINANCES AND REGULATIONS
11 WITHIN THE BOUNDARIES OF THE SOLID WASTE MANAGEMENT
12 DISTRICT; AND FOR OTHER PURPOSES."

Subtitle

15 "TO PROVIDE ENFORCEMENT AUTHORITY TO
16 REGIONAL SOLID WASTE MANAGEMENT
17 DISTRICTS."

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

21 SECTION 1. All regional solid waste management districts within the
22 State of Arkansas are hereby empowered to enforce all state, county, and
23 district solid waste laws, ordinances, and regulations within the boundaries
24 of their respective districts.

26 SECTION 2. A regional solid waste management district board of
27 *directors may hire solid waste enforcement officers for the purpose of*
28 *enforcing solid waste laws* and regulations promulgated by the General
29 Assembly, the Department of Pollution Control and Ecology, the counties
30 within each district and the employing district.

32 SECTION 3. *Solid waste enforcement* officers employed by regional solid
33 waste management districts shall be authorized to inspect landfills, *except*
34 *Class III non-commercial landfills*, within the district, insure compliance
35 with all *solid waste* ordinances, collect evidence of noncompliance and

1 present such evidence to the prosecuting attorney. This officer shall issue
2 citations for violation of any state, county, or district ordinance or
3 regulation prohibiting dumping of waste, garbage, litter, or any hazardous
4 materials throughout the county or district. *The jurisdiction of the solid
5 waste enforcement officer shall be limited to the boundaries of the district.*
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7 SECTION 4. (a) Any solid waste enforcement officer employed by a
8 regional solid waste management district may complete the training course for
9 law enforcement officers at the Law Enforcement Training Academy and upon
10 satisfactory completion of said course the solid waste enforcement officer
11 shall be a law enforcement officer, and may carry firearms, make arrests,
12 execute and serve any warrant or other processes issued under the authority
13 of the county or district pertaining to violations of state, county, and
14 district laws, ordinances, and regulations concerning solid waste practices
15 and protection.

16 (b) Solid waste enforcement officers employed by a regional solid
17 waste management district shall obtain any training required by the
18 Department of Pollution Control and Ecology for enforcement officers of the
19 Solid Waste Division of the department.
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21 SECTION 5. All citations and arrests made pursuant to this act will be
22 prosecuted in the municipal court within the county in which the complaint
23 occurred, and shall be processed according to state laws governing municipal
24 court procedures.
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26 SECTION 6. All provisions of this act of a general and permanent
27 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
28 Code Revision Commission shall incorporate the same in the Code.
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30 SECTION 7. If any provision of this act or the application thereof to
31 any person or circumstance is held invalid, such invalidity shall not affect
32 other provisions or applications of the act which can be given effect without
33 the invalid provision or application, and to this end the provisions of this
34 act are declared to be severable.
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1 SECTION 8. All laws and parts of laws in conflict with this act are
2 hereby repealed.

3 /s/*Fitch*
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As Engrossed: 2/23/95 3/7/95

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