

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H4/4/97

A Bill

SENATE BILL 742

4
5 By: Senator Argue
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 8-9-405(a) TO PERMIT THE
10 REGIONAL SOLID WASTE MANAGEMENT DISTRICTS TO CHARGE
11 ADDITIONAL FEES FOR PROCESSING TRUCK TIRES; AND FOR OTHER
12 PURPOSES."

Subtitle

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15 "AN ACT TO AMEND ARKANSAS CODE 8-9-
16 405(a) TO PERMIT THE REGIONAL SOLID
17 WASTE MANAGEMENT DISTRICTS TO CHARGE
18 ADDITIONAL FEES FOR PROCESSING TRUCK
19 TIRES; AND FOR OTHER PURPOSES."

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

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23 SECTION 1. Arkansas Code 8-9-405(a) is amended to read as follows:

24 "(a) The department shall, by July 1, 1992, establish a program to make
25 waste tire grants to regional solid waste management boards which desire,
26 individually or collectively, to:

27 (1) Construct or operate, or contract for the construction or
28 operation of, a waste tire processing facility and equipment purchases
29 therefor;

30 (2) Contract for a waste tire processing facility service within
31 or outside the regional solid waste management district;

32 (3) Remove or contract for the removal of waste tires from
33 illegal waste tire sites within the regional solid waste management district;

34 (4) Perform or contract for the performance of research designed
35 to facilitate waste tire recycling;

36 (5) Establish waste tire collection centers at solid waste

1 disposal facilities, waste tire processing facilities, or waste tire
2 generators, that shall accept ~~automobile and truck or specialty passenger~~
3 tires from the public at no charge, provided the waste tires had a waste tire
4 management fee collected at the time of retail sale. Solid Waste Districts
5 are authorized to enact an additional fee on truck tires that have had a waste
6 tire management fee collected at the time of retail sale, provided that the
7 costs of properly removing and disposing of truck tires exceeds one dollar and
8 fifty cents (\$1.50) per truck tire. For purposes of this section the term
9 'truck tires' does not include tires with a rim size less than nineteen and
10 one-half inches (19-1/2"). Solid Waste Management Districts imposing an
11 additional fee on truck tires may not impose a fee in excess of the costs of
12 properly removing and disposing of such tires less one dollar and fifty cents
13 (\$1.50) per tire, provided however that in no instance may the additional fee
14 exceed five dollars (\$5.00) per truck tire;

15 (6) Establish at least one (1) waste tire collection center within
16 the district that may accept all tires for which a management fee was not
17 previously collected, including, but not limited to, mining, farming, or off-
18 the-road vehicle tires. Any fee charged for said tires must be first approved
19 by the department;

20 (7) Provide incentives for establishing privately operated waste
21 tire collection centers for the public. This provision does not pertain to
22 off-the-road tires that are exempt from the tire management fee;

23 (8) Establish educational programs designed to inform the public
24 of available recycling options and programs;

25 (9) Fund additional transportation costs incurred as a result of
26 using waste tire disposal alternatives as a preference over landfill disposal;
27 or

28 (10) Use moneys for other purposes approved by the department."
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30 SECTION 2. All provisions of this act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.

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34 SECTION 3. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect
36 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 4. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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7 SECTION 5. EMERGENCY. It is hereby found and determined by the General
8 Assembly that it is necessary to allow the Regional Solid Waste Management
9 Districts to charge an additional fee for processing truck tires to provide
10 for the protection of public health, welfare, and the environment. Therefore,
11 an emergency is declared to exist and this act being immediately necessary for
12 the preservation of the public peace, health and safety shall become effective
13 on the date of its approval by the Governor. If the bill is neither approved
14 nor vetoed by the Governor, it shall become effective on the expiration of the
15 period of time during which the Governor may veto the bill. If the bill is
16 vetoed by the Governor and the veto is overridden, it shall become effective
17 on the date the last house overrides the veto.

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19 /s/Sen. Argue

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