

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

SENATE BILL 789

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

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9 "AN ACT TO INCREASE THE ALLOCATION CONTAINED IN THE
10 LANDFILL POST-CLOSURE TRUST FUND FOR ADMINISTRATIVE
11 COSTS AS DETERMINED BY THE DIRECTOR; AND FOR OTHER
12 PURPOSES. "

Subtitle

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14 "TO INCREASE THE LANDFILL POST-CLOSURE
15 TRUST FUND ALLOCATION FOR ADMINISTRATIVE
16 COSTS. "
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code 8-6-1002(a) is amended to read as follows:

23 "(a)(1) There is established on the books of the Treasurer of State,
24 Auditor of State, and Chief Fiscal Officer of the State a trust fund to be
25 known as the 'Landfill Post-Closure Trust Fund'.

26 (2) In addition to all moneys appropriated by the General
27 Assembly to the fund, there shall be deposited in the fund all landfill
28 disposal fees collected pursuant to this subchapter and any moneys received by
29 the state as a gift or donation to the fund or any federal moneys designated
30 to enter the fund, and all interest earned upon moneys deposited in the fund.

31 (3) Moneys received into the fund may also be used by the
32 department for administrative and other purposes as may be determined by the
33 director, at a level not to exceed ~~three hundred thousand dollars (\$300,000)~~
34 four hundred and fifty thousand dollars (\$450,000) annually, ~~with an annual~~
35 ~~escalator not to exceed three percent (3%)~~. In the event the total amount in
36 the Landfill Post-Closure Trust Fund equals or exceeds twenty-five million

1 dollars (\$25,000,000), no additional moneys shall be collected pursuant to
 2 this subchapter until the total amount in the fund equals or is less than
 3 fifteen million dollars (\$15,000,000), at which time such collection of moneys
 4 shall resume.

5 (4)(A) Effective July 1, 1997, and annually thereafter, an
 6 apportionment of the moneys in the Landfill Post-Closure Trust Fund, not to
 7 exceed one million dollars (\$1,000,000) per fiscal year, shall be allocated
 8 from the moneys deposited into the Landfill Post-Closure Trust Fund to be
 9 utilized by the department to administer and enforce the Illegal Dump
 10 Eradication and Corrective Action Program, in accordance with conditions set
 11 forth in § 8-6-501, et seq. No more than fifteen percent (15%) of this
 12 allocation may be used for administrative purposes by the department pursuant
 13 to the activities related to the Illegal Dump Eradication and Corrective
 14 Action Program for the first fiscal year of the program and ten percent (10%)
 15 annually thereafter. Further, the Illegal Dump Eradication and Corrective
 16 Action Program shall also include any moneys received by the state as a gift
 17 or donation to the program and any federal government moneys designated to
 18 enter the program.

19 (B) The apportionment authorized by this subsection shall
 20 terminate five (5) years from March 31, 1997, and that the Illegal Dump
 21 Eradication and Corrective Action Program shall receive no funds from the
 22 Landfill Post-Closure Trust Fund beyond that date.”

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 24 SECTION 2. All provisions of this act of a general and permanent nature
 25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 26 Revision Commission shall incorporate the same in the Code.

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 28 SECTION 3. If any provision of this act or the application thereof to
 29 any person or circumstance is held invalid, such invalidity shall not affect
 30 other provisions or applications of the act which can be given effect without
 31 the invalid provision or application, and to this end the provisions of this
 32 act are declared to be severable.

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

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