

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

SENATE BILL 872

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5 By: Senator J. Jeffress
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For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE TITLE 14, TO ADD A
10 CHAPTER 29 TO ESTABLISH A LITTER ABATEMENT BOARD FOR
11 EACH COUNTY TO DESIGN A LITTER ABATEMENT PLAN,
12 PERFORM AN ANNUAL REVIEW OF THE PLAN, AND MAKE
13 PERIODIC PROGRESS REPORTS ON THE PLAN'S GOALS AND
14 OBJECTIVES; AND FOR OTHER PURPOSES.

Subtitle

16 TO ESTABLISH A LITTER ABATEMENT BOARD
17 FOR EACH COUNTY TO DESIGN AN ABATEMENT
18 PLAN AND REQUIRE AN ANNUAL PLAN REVIEW
19 AND REPORTS ON GOALS AND OBJECTIVES.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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25 SECTION 1. Arkansas Code Title 14, is amended to add an additional
26 Chapter to read as follows:

CHAPTER 29 - LITTER ABATEMENT PLAN

14-29-101. Purpose.

29 The purpose of this chapter is to require each county in Arkansas to
30 develop a countywide litter abatement board whose function is to develop a
31 plan to address problems of litter in Arkansas on a local basis, to prescribe
32 the guidelines for the litter abatement plan for the county, to require the
33 filing of the litter abatement plan with the Keep Arkansas Beautiful
34 Commission, and to require the periodic review of the litter abatement plan
35 and an annual progress report toward the plan's objectives.
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1 14-29-102. Litter abatement plan.

2 (a) On and after January 1, 2002, each county in Arkansas, through its
3 litter abatement board created by this chapter, shall be charged with the
4 duty of preparing, developing, and formulating a plan for a comprehensive
5 program for the abatement of litter, illegal dumping sites, and any other
6 related garbage and refuse throughout the county, to be referred to as the
7 "Litter Abatement Plan".

8 (b) Each county shall be governed in its preparation of the plan by a
9 regard for the public interest of its citizens and well-being of the entire
10 state in eliminating litter from the county. The county's plan shall direct
11 its efforts to protect the roads and highways of the county and the state of
12 Arkansas against unwarranted littering and illegal depositing of other
13 refuse.

14 (c) The litter abatement plan shall give due consideration to existing
15 laws regarding litter and solid waste management and shall endeavor to mesh
16 the current laws and resources of the state, county, and municipal
17 governments into a comprehensive plan to address attempts to prevent and
18 abate further littering in the county.

19 (d) The county shall publish its litter abatement plan, which shall
20 from time to time be revised, updated, and amended as new information,
21 projects, resources, and developments shall occur.

22 (e) The litter abatement plan shall be made available to any and all
23 interested individuals, parties, or agencies or departments of state or local
24 government in order to ensure that it receives the widest possible
25 dissemination throughout the county.

26
27 14-29-103. Litter abatement board.

28 (a) Each county quorum court, by ordinance, shall establish a litter
29 abatement board for the development of the litter abatement plan for the
30 county to address a comprehensive program for the abatement of litter,
31 illegal dumping sites, and any other related garbage and refuse within the
32 county.

33 (b) The litter abatement board shall:

34 (1) Be primarily responsible for the development of the litter
35 abatement plan;

36 (2) Furnish advice, gather information, and make recommendations

1 to the county judge and quorum court on litter abatement in the county; and

2 (3) Perform other activities, as prescribed by ordinance.

3 (c) A litter abatement board shall consist of the same number of
4 members as there are quorum court districts within the county and the board
5 members shall represent the quorum court district on the board.

6 (d) All litter abatement board members shall be appointed by the
7 county judge. These appointments shall require confirmation by a quorum
8 court.

9 (e) No member of a quorum court shall serve as a member of the litter
10 abatement board.

11 (f) All persons appointed to the litter abatement board shall be
12 qualified electors of the county and a county's quorum court may prescribe by
13 ordinance additional qualifications for appointment to ensure an adequate
14 cross-section of county citizens are represented on the board, including, but
15 not limited to, the business, educational, environmental and agricultural
16 communities within the county.

17 (g) The term of litter abatement board members shall be for a period
18 of two (2) years. However, the initial appointment of the board members shall
19 provide for the appointment of one (1) member more than half of the board for
20 one-year terms and the remaining members for two-year terms, thereby
21 providing for the staggering of appointments annually thereafter.

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23 14-29-104. Plan guidelines.

24 (a) By January 31, of the year 2003, and each year thereafter, the
25 litter abatement board of each county shall prepare the litter abatement plan
26 and shall file it with the Director of the Keep Arkansas Beautiful
27 Commission. Each plan shall contain program goals for its county to address
28 problems within the county for the abatement of litter, cleanup of illegal
29 dumping sites, and management of any other related garbage and refuse outside
30 of the county or any municipal solid waste programs.

31 (b) During January of each year, the litter abatement board for each
32 county shall meet and review the litter abatement plan for its county and
33 shall revise the plan to update it for any changes in circumstance regarding
34 litter abatement and solid waste management services within the county for
35 the next year.

36 (c)(1) Each plan's goals shall be examined to determine whether or not

1 the plan has been effective in promoting the abatement of litter in the
2 county, cleanup of illegal dumping sites, or management of any other related
3 garbage and refuse outside of the county or any municipal solid waste
4 programs.

5 (2) If it is determined by the board that the plan's goals are
6 not effective, this determination shall be reported to the county judge and
7 quorum court along with any recommendations for changes to programs for
8 future litter abatement, illegal dump cleanup, or management of other related
9 garbage and refuse outside of the county or any municipal solid waste
10 programs.

11 (d) Any county failing to file a plan with the Director of the Keep
12 Arkansas Beautiful Commission by January 31 of each year following the close
13 of deliberations by its litter abatement board shall not be eligible to
14 receive any grants or other funds from the State of Arkansas for any solid
15 waste management programs or any recycling programs administered by the
16 state.

17 (e) In the event an internet web site is developed by the Keep
18 Arkansas Beautiful Commission, the commission may include the litter
19 abatement plans for each county on the internet web site.

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21 14-29-105. Rules and regulations.

22 The Keep Arkansas Beautiful Commission shall be authorized to
23 promulgate reasonable rules and regulations necessary to implement the
24 provisions of this chapter.

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