

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 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S2/1/05 S2/17/05

A Bill

SENATE BILL 176

5 By: Senator Madison
6
7

For An Act To Be Entitled

9 AN ACT TO ALLOW REGIONAL SOLID WASTE DISTRICTS TO
10 EMPLOY ENVIRONMENTAL OFFICERS WITH THE SAME
11 AUTHORITY AS COUNTY ENVIRONMENTAL OFFICERS; AND
12 FOR OTHER PURPOSES.
13

Subtitle

15 TO ALLOW REGIONAL SOLID WASTE DISTRICTS
16 TO EMPLOY ENVIRONMENTAL OFFICERS WITH
17 THE SAME AUTHORITY AS COUNTY
18 ENVIRONMENTAL OFFICERS.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 *SECTION 1. Arkansas Code § 14-15-102 is amended to read as follows:*
24 *14-15-102. Environmental officer.*

25 *(a)(1) Each county or regional solid waste district within this state*
26 *may employ an environmental officer who ~~shall~~ may perform the following*
27 *duties within that county or regional solid waste district:*

28 *(A) ~~inspect~~ Inspect all:*

29 *(i) ~~landfills within that county,~~ Landfills;*

30 *(ii) Other solid waste facilities;*

31 *(iii) Waste haulers;*

32 *(iv) Waste vehicles; and*

33 *(v) Illegal dumps;*

34 *(B) ~~insure~~ Insure compliance with all environmental*
35 *ordinances or regulations; and*

36 *(C) ~~collect~~ Collect evidence of noncompliance and present*



1 such evidence to the prosecuting attorney.

2 (2) This officer shall may issue citations for violation of any
 3 county or regional solid waste district ordinance or regulation prohibiting
 4 dumping of concerning solid waste, garbage, litter, or any hazardous
 5 materials throughout the county or regional solid waste district.

6 (b) The environmental officer may complete the training course for law
 7 enforcement officers at the Law Enforcement Training Academy. After
 8 satisfactory completion of said course the environmental officer shall be a
 9 law enforcement officer.

10 (c) After completing the training course at the Law Enforcement
 11 Training Academy, the environmental officer may:

12 (1) carry Carry firearms;

13 (2) execute Execute and serve any warrant or other processes
 14 issued under the authority of the county or regional solid waste district
 15 pertaining to violations of county or regional solid waste district
 16 ordinances or regulations concerning environmental protection; and

17 (3) make Make arrests and issue citations for violations of
 18 county or regional solid waste district ordinances or regulations concerning
 19 environmental protection.

20
 21 SECTION 2. Arkansas Code § 8-6-704(b), regarding the powers and duties
 22 of regional solid waste management boards, is amended to read as follows:

23 (b)(1) The regional solid waste management boards may:

24 ~~(1)(A)~~ Apply for such permits, licenses, certificates, or
 25 approvals as may be necessary to construct, maintain, and operate any portion
 26 of a solid waste management system and to obtain, hold, and use licenses,
 27 permits, certificates, or approvals in the same manner as any other person or
 28 operating unit of any other person;

29 ~~(2)(B)~~ Employ such engineers, architects, attorneys, real
 30 estate counselors, appraisers, financial advisors, and other consultants and
 31 employees as may be required in the judgment of the district and fix and pay
 32 their compensation from funds available to the district therefor; ~~and~~

33 ~~(3)(C)~~ Purchase all kinds of insurance, including, but not
 34 limited to, insurance against tort liability, business interruption, and
 35 risks of damage to property; and

36 (D) Employ an environmental officer who may:

- 1 (i) Inspect all landfills;
- 2 (ii) Inspect other solid waste facilities;
- 3 (iii) Inspect waste haulers and other vehicles;
- 4 (iv) Insure compliance with all district
- 5 regulations;
- 6 (v) Collect evidence of noncompliance and present
- 7 the evidence to the prosecuting attorney; or
- 8 (vi) Issue citations for the violation of any
- 9 regulation throughout the district.
- 10 (2)(A) If a regional solid waste management board employs an
- 11 environmental officer under this subsection (b), then the environmental
- 12 officer may complete the training course for law enforcement officers at the
- 13 Arkansas Law Enforcement Training Academy.
- 14 (B) After satisfactory completion of the training course,
- 15 the environmental officer shall be a law enforcement officer.
- 16 (C) After satisfactory completion of the training course,
- 17 the environmental officer may:
- 18 (i) Carry firearms;
- 19 (ii) Execute and serve a warrant or other processes
- 20 issued under the authority of the district and related to violations of
- 21 district regulations; and
- 22 (iii) Make arrests and issue citations for
- 23 violations of district regulations regarding environmental protection.

24
25 /s/ Madison
26
27
28
29
30
31
32
33
34
35
36