

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S2/21/19 S3/7/19

A Bill

SENATE BILL 377

5 By: Senators Irvin, *Flippo*
6 By: Representatives M. Gray, *McNair*
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING THE COLLECTION AND
10 DISTRIBUTION OF SOLID WASTE DISPOSAL AND
11 *TRANSPORTATION FEES; TO PROVIDE FUNDING FOR UNPAVED*
12 *ROADS; AND FOR OTHER PURPOSES.*
13
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Subtitle

15 TO AMEND THE LAW CONCERNING THE
16 COLLECTION AND DISTRIBUTION OF SOLID
17 WASTE DISPOSAL AND TRANSPORTATION FEES.
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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 § 8-6-607 is amended to read as follows:
24 8-6-607. Collection of fees.

25 ~~Fees imposed under the separate provisions of this subchapter shall be~~
26 ~~collected as follows~~ (a) On or before January 15, April 15, July 15, and
27 October 15 of each year, each landfill permittee and each solid waste
28 transporter shall:

29 (1) ~~Each landfill permittee and each solid waste transporter~~
30 ~~shall submit~~ Submit to the Arkansas Department of Environmental Quality ~~on or~~
31 ~~before January 15, April 15, July 15, and October 15 of each year~~ a quarterly
32 report that accurately states the total weight or volume of solid waste
33 received at the landfill or transported out of state during the quarter just
34 completed; and

35 (2) ~~On or before January 15, April 15, July 15, and October 15~~
36 ~~of each year, each landfill permittee and solid waste transporter shall pay~~



1 Pay to the department the full amount of disposal and transportation fees
2 imposed and collected under this subchapter due for the preceding quarter
3 just completed.

4 ~~(3)~~ (b)(1) Except as provided in subdivisions ~~(4)(b)(2)~~ and
5 ~~(5)(3)~~ of this section, the disposal and transportation fees collected under
6 this section shall be special revenues and shall be deposited into the State
7 Treasury to the credit of the Solid Waste Management and Recycling Fund for
8 administrative support of the Compliance Advisory Panel.

9 ~~(4)(A)(2)~~ (25) Twenty-five percent (25%) of the disposal fees
10 collected under subsection (a) of this section from landfills where in which
11 a private industry bears the expense of operating and maintaining the
12 landfill solely for the disposal of wastes generated by the private industry
13 shall be deposited quarterly into a ~~special revenue fund to be created on the~~
14 ~~books of the Treasurer of State, the Auditor of State, and the Chief Fiscal~~
15 ~~Officer of the State and to be known as the "Marketing Recyclables Program~~
16 ~~Fund"~~ the Marketing Recyclables Program Fund.

17 ~~(B)~~ The Marketing Recyclables Program Fund shall be
18 administered by the department and used by the panel for the administration
19 and performance of the panel's duties; and

20 ~~(5)(3)~~ Beginning July 1, 2013, excluding Except for the disposal
21 fees ~~that are to be deposited into the Marketing Recyclables Program Fund~~
22 ~~under subdivision (4)(b)(2) of this section, the first one hundred fifty~~
23 ~~thousand dollars (\$150,000) of the fees collected each fiscal year under this~~
24 ~~section shall be deposited into the State Treasury and credited to the Crime~~
25 ~~Information System Fund to be used exclusively for the scrap metal logbook~~
26 ~~program, and before disbursing moneys to the regional sold waste management~~
27 ~~boards, the department shall deposit three hundred thousand dollars~~
28 ~~(\$300,000) credited into the Arkansas Unpaved Roads Program Fund.~~

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30 *SECTION 2.* Arkansas Code § 8-9-104, concerning the definitions related
31 to recycling, is amended to add an additional subdivision to read as follows:

32 (13) "Person" means an individual, municipality, other
33 governmental entity, or another entity recognized by law with rights and
34 duties.

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36 *SECTION 3. TEMPORARY LANGUAGE. DO NOT CODIFY. This act applies to*

1 annual disbursements under § 8-6-607 beginning in fiscal year 2020.

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/s/ Irvin