

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Hinshaw**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 8-6-609 TO ALLOW PRIVATE
9 INDUSTRY SOLID WASTE PERMITTEES TO RECEIVE RECYCLING
10 GRANTS FROM THE SOLID WASTE MANAGEMENT AND RECYCLING FUND;
11 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT TO ALLOW PRIVATE INDUSTRY SOLID WASTE PERMITTEES
15 TO RECEIVE RECYCLING GRANTS FROM THE SOLID WASTE
16 MANAGEMENT AND RECYCLING FUND."

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

20 SECTION 1. Arkansas Code § 8-6-609 is hereby amended to read as
21 follows:

22 "8-6-609. Grant program.

23 (a) There is hereby created a grant program of assistance for
24 districts, local governments, and permittees having contracts with such
25 districts or local governments, and their delegated authorities and agents to
26 develop solid waste management plans, programs, and facilities that integrate
27 recycling as a functional part of the solid waste management system, provided
28 that the legislative preference for regional or multi-county solid waste
29 management planning is implemented in the administration of this grant
30 program.

31 (b) Any county, city, multi-county, regional, or other solid waste
32 authority, or permittee having contracts with such governmental authorities is
33 eligible for a grant pursuant to rules and regulations adopted by the
34 commission and administered by the department.

35 (c) (1) Costs eligible for grant assistance include, but are not limited

1 to, costs for solid waste management planning that integrate recycling, costs
2 for public information and education programs that encourage waste reduction
3 and stimulate demand for products produced from recycled materials, costs of
4 waste transfer facilities that integrate recycling in their operations, costs
5 of recycling equipment, and recycling program and market development costs.

6 (2) Grant assistance shall not be provided for the purpose of
7 purchasing mechanical processing equipment or facilities if existing
8 mechanical processing equipment or facilities adequately serve the relevant
9 area, unless the department determines that the equipment or facility is an
10 indispensable component of an otherwise eligible grant project and would more
11 efficiently serve the relevant area.

12 (3) Administrative costs incurred by regional solid waste
13 management districts shall be eligible for matching grants from the
14 department. The total amount of grants for administrative costs set out for
15 all districts shall not exceed five hundred thousand dollars (\$500,000) per
16 annum. The department is hereby granted authority to develop regulations in
17 accordance herewith.

18 (d) Any permittee applying for and receiving a grant pursuant to this
19 subchapter shall satisfy all applicable requirements stated in law and all
20 applicable rules and regulations adopted by the commission and administered by
21 the department."

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

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

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

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1 SECTION 5. Emergency. It is hereby found and determined by the
2 Seventy-Ninth General Assembly of the State of Arkansas that Acts 849 and 934
3 of 1989 created the Solid Waste Management and Recycling Fund and levied a
4 landfill disposal fee on all landfills in Arkansas to fund a grant program for
5 assistance in solid waste and recycling planning; that the Solid Waste
6 Management and Recycling Fund Act did not provide for grants to private
7 industry solid waste permittees; that private industry operators of solid
8 waste disposal facilities provide a valuable resource to the state of Arkansas
9 in the disposal of solid waste; and that Arkansas law needs to be changed
10 immediately to allow private industry permittees to receive recycling grants.
11 Therefore, in order to promote the most efficient and effective disposal of
12 solid waste in Arkansas, an emergency is hereby declared to exist, and this
13 act being necessary for the immediate preservation of the public peace,
14 health, and safety, shall be in full force and effect from and after its
15 passage and approval.

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