

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 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 1800

4
5 By: Representative Bradford
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For An Act To Be Entitled

8
9 AN ACT TO AMEND THE SOLID WASTE MANAGEMENT AND
10 RECYCLING FUND ACT TO AFFECT THE DISPOSITION OF
11 FUNDS COLLECTED UNDER THE ACT; AND FOR OTHER
12 PURPOSES.
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Subtitle

14
15 AN ACT TO AMEND THE SOLID WASTE
16 MANAGEMENT AND RECYCLING FUND ACT TO
17 AFFECT THE DISPOSITION OF FUNDS
18 COLLECTED UNDER THE ACT; AND FOR OTHER
19 PURPOSES.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 8-6-609 is amended to read as follows:
25 8-6-609. Grant program.

26 (a) There is ~~hereby~~ created a grant program of assistance for
27 districts and local governments and their delegated authorities and agents to
28 develop solid waste management plans, programs, and facilities that integrate
29 recycling as a functional part of the solid waste management system, provided
30 that the legislative preference for regional or multicounty solid waste
31 management planning is implemented in the administration of this grant
32 program.

33 (b)(1)(A) Any county, city, multicounty, regional, or other solid
34 waste authority is eligible for a grant pursuant to rules and regulations
35 adopted by the Arkansas Pollution Control and Ecology Commission and
36 administered by the Arkansas Department of Environmental Quality.



02202003LDH1418.MHF114

1 (B) Funds collected under the provisions of § 8-6-607 and
 2 deposited in the State Treasury to the credit of the Solid Waste Management
 3 and Recycling Fund, less up to twenty-five percent (25%) for administrative
 4 support for the department, shall be annually allocated to each of the
 5 approved regional solid waste management districts for costs eligible for
 6 grant assistance utilizing a combination of two (2) methods, hereafter
 7 referred to as "method A" and "method B".

8 (C) Fifty percent (50%) of set-aside funds will be
 9 determined using method A, and fifty percent (50%) will be determined using
 10 method B.

11 (D) The total figures obtained from each method will be
 12 combined to arrive at each regional solid waste management district's fund
 13 distribution.

14 (2)(A) Method A:

15 (i) The department shall determine the amount of
 16 funds within each planning and development district organized under § 14-166-
 17 201 ~~et seq.~~ through § 14-166-205, and recognized by the Governor, based upon
 18 the same distribution as general revenue support is distributed to the
 19 planning and development districts in the current fiscal year.

20 (ii) The department shall adjust the distribution
 21 within the planning and development districts to coincide with the boundaries
 22 of the regional solid waste management districts by determining each county's
 23 share of the funds available within each planning and development district.
 24 Each county's share shall be based upon the proportion that each county's
 25 population bears to the total population in the planning and development
 26 district to which the county is assigned, multiplied by the amount of funds
 27 determined to be available within the planning and development district. The
 28 county's proportional share, as determined, shall be added to all other
 29 counties' shares within the same regional solid waste management district.

30 (B) Formula for method A:

31 (i) Begin with fifty percent (50%) of the total
 32 remaining grant funds;

33 (ii) Divide equally by the eight (8) regional
 34 planning and development districts;

35 (iii) Multiply this result by the ~~1990 or current~~
 36 most recent federal decennial census population of each county; and

1 (iv) Divide this result by the planning and
 2 development district population in which the county is located. This
 3 determines the portion per county.

4 (v) Individual county portions are grouped and
 5 totaled by each new regional solid waste management district to give each
 6 regional solid waste management district's allocation.

7 (3)(A) Method B: The remaining fifty percent (50%) of set-aside
 8 funds in a grant round shall be based upon the ratio of the district's 1990
 9 or current decennial census population divided by the ~~1990 or current~~ most
 10 recent federal decennial census state population.

11 (B) Formula for method B:

12 (i) Begin with each solid waste management
 13 district's total population;

14 (ii) Divide by the state's ~~1990 or current~~ most
 15 recent federal decennial census population to get the ratio; and

16 (iii) Multiply by the total remaining grant funds.

17 (iv) This equals each regional solid waste
 18 management district's allocation.

19 (4) Funds set aside for each district in a grant round that are
 20 not awarded to the district will be rolled over to the next grant round.

21 (5) Funds set aside to two (2) or more districts in a grant
 22 round may be combined to fund a joint application, provided the joint
 23 application has been signed by the regional solid waste management board
 24 chairman for each district.

25 (c)(1) Costs eligible for grant assistance include, but are not
 26 limited to, costs for solid waste management planning that integrates
 27 recycling, costs for public information and education programs that encourage
 28 waste reduction and stimulate demand for products produced from recycled
 29 materials, costs of waste transfer facilities that integrate recycling in
 30 their operations, costs of recycling equipment, and recycling program and
 31 market development costs.

32 (2) Grant assistance shall not be provided for the purpose of
 33 purchasing mechanical processing equipment or facilities if existing
 34 mechanical processing equipment or facilities adequately serve the relevant
 35 area, unless the department determines that the equipment or facility is an
 36 indispensable component of an otherwise eligible grant project and would more

1 efficiently serve the relevant area.

2 (3)(A) The total amount of grants for administrative costs set
 3 out for all districts shall not exceed five hundred thousand dollars
 4 (\$500,000) per annum.

5 (B) The department is hereby granted authority to develop
 6 regulations in accordance herewith.

7 (4) Each regional solid waste management district may use up to
 8 twenty-five percent (25%) of its annual allocation for the administration of
 9 its regional solid waste management plan as approved by the department.

10 (5)(A) Each regional solid waste management district is
 11 responsible for the grant application process and acceptance of grant
 12 applications from its district members.

13 (B) The district shall prioritize and select grant
 14 projects from its district members for submission to the department, such
 15 selection being the sole discretion of the district.

16 (6) Once grant project applications are submitted to the
 17 department, the department shall approve those projects which comply with the
 18 requirements and intent of this subchapter.

19 (d)(1)(A) The department shall prepare an annual progress report on
 20 grant assistance made under this section.

21 (B) The report shall include:

22 (i) The amount of each grant;

23 (ii) The purpose of the grant;

24 (iii) How grant funds were expended by the
 25 applicant;

26 (iv) The results produced or the progress made on
 27 the project; and

28 (v) The revenues produced and tonnages of materials
 29 collected by the project.

30 (C) The report for each state fiscal year shall be filed
 31 by November 1 of the following fiscal year with the office of the Governor
 32 and the Legislative Council.

33 (D) The report shall include information on grant
 34 recipients for a period of five (5) years from the date of disbursement of
 35 funds by the department.

36 (2)(A) Regional solid waste management boards shall provide the

1 department with a report summarizing:

- 2 (i) Progress in the project;
- 3 (ii) Expenditures from the grant award;
- 4 (iii) Tonnages of materials collected by the
- 5 project; and
- 6 (iv) Revenues produced by the sale of materials
- 7 collected.

8 (B) The report shall be filed annually on or before
9 September 1.

10 (C) Failure by a board to file the required reports shall
11 provide grounds for the department to withhold disbursement of grant funds
12 for subsequent grant rounds.

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