

*As Engrossed: 3/10/93*

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**

# A Bill

**ACT 1030 OF 1993**  
**HOUSE BILL 1883**

4 **By: Representatives Stalnaker, Hendrix, Blair and Pollan**

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## **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE 8-6-609 TO ESTABLISH AN  
9 ENTITLEMENT GRANT ALLOCATION UNDER THE SOLID WASTE  
10 MANAGEMENT RECYCLING FUND ACT; AND FOR OTHER PURPOSES."

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## **Subtitle**

12  
13 "AN ACT TO ESTABLISH AN ENTITLEMENT GRANT ALLOCATION UNDER  
14 THE SOLID WASTE MANAGEMENT RECYCLING FUND ACT."

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

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18 SECTION 1. Arkansas Code 8-6-609 is amended to read as follows:

19 "8-6-609. Grant program.

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

27 (b) Any county, city, multi-county, regional, or other solid waste  
28 authority is eligible for a grant pursuant to rules and regulations adopted by  
29 the commission and administered by the department. Funds collected under the  
30 provisions of §8-6-607 and deposited in the State Treasury to the credit of  
31 the Solid Waste Management Recycling Fund, less up to twenty-five percent  
32 (25%) for administrative support for the department, shall be annually  
33 allocated to each of the approved Regional Solid Waste Management Districts  
34 for costs eligible for grant assistance utilizing a combination of two (2)  
35 methods, hereafter referred to as Method A and Method B. Fifty percent (50%)  
36 of set aside funds will be determined using Method A and fifty percent (50%)

1 will be determined using Method B. The total figures obtained from each  
2 method will be combined to arrive at each Regional Solid Waste Management  
3 District\_s fund distribution.

4 (1) Method A:

5 (A) The department shall determine the amount of funds within  
6 each Planning and Development District organized under Arkansas Code 14-166-  
7 201 et seq., and recognized by the Governor based upon the same distribution  
8 as general revenue support is distributed to the Planning and Development  
9 Districts in the current fiscal year.

10 (b) The department shall adjust the distribution within the  
11 Planning and Development Districts (PDD\_s) to coincide with the boundaries of  
12 the Regional Solid Waste Management Districts (RSWMD) by determining each  
13 county\_s share of the funds available within each PDD. Each county\_s share  
14 shall be based upon the proportion that each county\_s population bears to the  
15 total population in the PDD to which the county is assigned, multiplied by the  
16 amount of funds determined to be available within the PDD. The county\_s  
17 proportional share, as determined, shall be added to all other counties\_ share  
18 within the same RSWMD.

19 Formula For Method A:

20 (i) Begin with fifty percent (50%) of the total remaining grant funds.

21 (ii) Divide equally by the eight

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8 (iii) Multiply this result by the 1990 or current decennial census  
9 population of each county.

10 (iv) Divide this result by the PDD population in which the county is  
11 located. (This determines the portion per county).

12 (v) Individual county portions are grouped and totaled by each new  
13 Regional Solid Waste Management District to give each RSWMD\_s allocation.

14 (2) Method B:

15 The remaining fifty percent (50%) of set-aside funds in a grant  
16 round shall be based upon the ratio of the 1990 or current decennial  
17 district\_s population divided by the 1990 or current decennial state  
18 population.

19 Formula for Method B:

20 (i) Begin with each Solid Waste Management District\_s total  
21 population.

22 (ii) Divide by the state\_s 1990 or current decennial census population  
23 (to get the ratio).

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

25 (iv) Equals each Regional Solid Waste Management District\_s  
26 allocation.

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

29 (4) Funds set aside to two (2) or more districts in a grant round may  
30 be combined to fund a joint application, provided the joint application has  
31 been signed by the Regional Solid Waste Management Board chairman for each  
32 district.

33 (c) (1) Costs eligible for grant assistance include, but are not limited  
34 to, costs for solid waste management planning that integrate recycling, costs  
35 for public information and education programs that encourage waste reduction

1 and stimulate demand for products produced from recycled materials, costs of  
2 waste transfer facilities that integrate recycling in their operations, costs  
3 of recycling equipment, and recycling program and market development costs.

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

10 (3) *The total amount of grants for administrative costs set out for all*  
11 *districts shall not exceed five hundred thousand dollars (\$500,000) per annum.*  
12 *The department is hereby granted authority to develop regulations in*  
13 *accordance herewith.*

14 (4) *Each Regional Solid Waste Management district may use up to twenty-*  
15 *five percent (25%) of its annual allocation for the administration of its*  
16 *regional solid waste management plan as approved by the department.*

17 (5) *Each Regional Solid Waste Management District is responsible for*  
18 *the grant application process and acceptance of grant applications from their*  
19 *district members. The district shall prioritize and select grant projects*  
20 *from their district members for submission to the department, such selection*  
21 *being the sole discretion of the district.*

22 (6) *Once grant project applications are submitted to the department,*  
23 *the department shall approve of those projects which comply with the*  
24 *requirements and intent of this subchapter."*

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26 SECTION 2. All provisions of this act of a general and permanent  
27 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
28 Code Revision Commission shall incorporate the same in the Code.

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

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

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*/s/Rep. Stalnaker, et al*

APPROVED: 4/12/93