

1 State of Arkansas *As Engrossed: H3/11/15 H3/18/15*

2 90th General Assembly

A Bill

3 Regular Session, 2015

HOUSE BILL 1496

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5 By: Representatives Lampkin, K. Ferguson

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For An Act To Be Entitled

8 *AN ACT TO PROVIDE FOR THE DISTRIBUTION OF FUNDS FOR*
9 *AN APPROVED COMPUTER AND ELECTRONIC EQUIPMENT*
10 *RECYCLING PROGRAM; TO CLARIFY THE EFFECT OF ACT 1333*
11 *OF 2013 ON FUNDS AND REPORTS REGARDING APPROVED*
12 *COMPUTER AND ELECTRONIC EQUIPMENT RECYCLING PROGRAMS;*
13 *AND FOR OTHER PURPOSES.*

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Subtitle

17 TO CLARIFY THE EFFECT OF ACT 1333 OF 2013
18 ON DISPOSAL FEES, FUNDS, AND REPORTS
19 REGARDING APPROVED COMPUTER AND
20 ELECTRONIC EQUIPMENT RECYCLING PROGRAMS.

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

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25 SECTION 1. Arkansas Code § 8-6-614 is repealed.

26 ~~8-6-614. Effective date.~~

27 ~~The disposal fees authorized in § 8-6-612 shall not be collected until~~
28 ~~the Landfill Post-Closure Trust Fund reaches twenty five million dollars~~
29 ~~(\$25,000,000).~~

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31 SECTION 2. Arkansas Code Title 8, Chapter 6, Subchapter 6, is amended
32 to add an additional section to read as follows:

33 8-6-616. Distribution of funds to regional solid waste management
34 districts for computer and electronic equipment recycling programs.

35 (a)(1) Funds collected under § 8-6-612 and deposited as special
36 revenues into the State Treasury to the credit of the Solid Waste Management



1 and Recycling Fund for support of an approved computer and electronic
2 equipment recycling program shall be allocated annually to each regional
3 solid waste management district using a combination of the two (2) methods
4 stated in subsections (b) and (c) of this section.

5 (2) Fifty percent (50%) of the funds shall be determined
6 using the method provided in subsection (b) of this section, and fifty
7 percent (50%) shall be determined using the method provided in subsection (c)
8 of this section.

9 (3) The total figures obtained from each method shall be
10 combined to arrive at each regional solid waste management district's fund
11 distribution.

12 (b)(1)(A) The Arkansas Department of Environmental Quality shall
13 determine the amount of funds within each planning and development district
14 organized under § 14-166-201 et seq., and recognized by the Governor, based
15 on the same distribution as general revenue support is distributed to the
16 planning and development districts in the current fiscal year.

17 (B) The department shall adjust the distribution described
18 in subdivision (b)(1)(A) of this section within the planning and development
19 districts to coincide with the boundaries of the regional solid waste
20 management districts by determining each county's share of the funds
21 available within each planning and development district.

22 (C) Each county's share shall be based on the proportion
23 that each county's population bears to the total population in the planning
24 and development district to which the county is assigned, multiplied by the
25 amount of funds determined to be available within the planning and
26 development district.

27 (D) The county's proportional share as determined under
28 this subdivision (b)(1) shall be added to all other counties' shares within
29 the same regional solid waste management district.

30 (2) The formula to be used under this subsection is as follows:

31 (A) Divide fifty percent (50%) of the total remaining
32 funds equally by the eight (8) regional planning and development districts;

33 (B) Multiply the quotient obtained under subdivision
34 (b)(2)(A) of this section by the most recent federal decennial census
35 population of each county; and

36 (C)(i) Divide the product obtained under subdivision

1 (b)(2)(B) of this section by the planning and development district population
2 in which the county is located to determine the portion per county.

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

6 (c)(1) The remaining fifty percent (50%) of the funds shall be based
7 on the ratio of the district's 2010 or current decennial census population
8 divided by the most recent federal decennial census state population.

9 (2) The formula to be used under this subsection is as follows:

10 (A) Divide each regional solid waste management district's
11 total population by the state's most recent federal decennial census
12 population; and

13 (B) Multiply the quotient obtained under subdivision
14 (c)(2)(A) of this section by the total remaining funds to determine each
15 regional solid waste management district's allocation.

16 (d) A regional solid waste management district shall receive for an
17 approved computer and electronic equipment recycling program from the
18 regional solid waste management district's allocation:

19 (1) After the effective date of this act, ten percent (10%) of
20 the funds for that year as calculated by the department using a combination
21 of the two (2) methods stated in subsections (b) and (c) of this section; and

22 (2) For a year in which the regional solid waste management
23 district did not receive funds to cover administrative costs of an approved
24 computer and electronic equipment recycling program, ten percent (10%) of the
25 funds currently on hand for that year.

26 (e)(1) Funds received under this section by a regional solid waste
27 management district but not needed for computer and electronic equipment
28 recycling may be used for another recycling project operated by the regional
29 solid waste management district.

30 (2) Funds may be redirected under subdivision (d)(1) of this
31 section only if the regional solid waste management board that governs a
32 regional solid waste management district certifies that the funds are not
33 needed for the approved computer and electronic equipment recycling program.

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35 SECTION 3. DO NOT CODIFY. (a) The Arkansas Department of
36 Environmental Quality shall disburse immediately, without further

1 requirements, funds awarded to a regional solid waste management district
2 under a grant program repealed by Act 1333 of 2013.

3 (b) The Arkansas Department of Environmental Quality shall not
4 require:

5 (1) That a regional solid waste management district or a
6 regional solid waste management board maintain or continue to provide a
7 report repealed by Act 1333 of 2013; or

8 (2) The presentation of a report concerning funds disbursed
9 under a grant program repealed by Act 1333 of 2013.

10 (c)(1) The disposal fee authorized in § 8-6-612 expires on June 30,
11 2021.

12 /s/Lampkin

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15 **APPROVED: 04/07/2015**
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