

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015

# A Bill

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 MAKE PERMANENT THE DISPOSAL FEE FOR  
9 APPROVED COMPUTER AND ELECTRONIC EQUIPMENT RECYCLING  
10 PROGRAMS; TO PROVIDE FOR THE DISTRIBUTION OF FUNDS  
11 FOR AN APPROVED COMPUTER AND ELECTRONIC EQUIPMENT  
12 RECYCLING PROGRAM; TO CLARIFY THE EFFECT OF ACT 1333  
13 OF 2013 ON FUNDS AND REPORTS REGARDING APPROVED  
14 COMPUTER AND ELECTRONIC EQUIPMENT RECYCLING PROGRAMS;  
15 AND FOR OTHER PURPOSES.  
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## Subtitle

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19 TO CLARIFY THE EFFECT OF ACT 1333 OF 2013  
20 ON DISPOSAL FEES, FUNDS, AND REPORTS  
21 REGARDING APPROVED COMPUTER AND  
22 ELECTRONIC EQUIPMENT RECYCLING PROGRAMS.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 8-6-614 is repealed.

28 ~~8-6-614. Effective date.~~

29 ~~The disposal fees authorized in § 8-6-612 shall not be collected until~~  
30 ~~the Landfill Post-Closure Trust Fund reaches twenty-five million dollars~~  
31 ~~(\$25,000,000).~~  
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33 SECTION 2. Arkansas Code Title 8, Chapter 6, Subchapter 6, is amended  
34 to add an additional section to read as follows:

35 8-6-616. Distribution of funds to regional solid waste management  
36 districts for computer and electronic equipment recycling programs.



1       (a)(1) Funds collected under § 8-6-612 and deposited as special  
2 revenues into the State Treasury to the credit of the Solid Waste Management  
3 and Recycling Fund for support of an approved computer and electronic  
4 equipment recycling program shall be allocated annually to each regional  
5 solid waste management district using a combination of the two (2) methods  
6 stated in subsections (b) and (c) of this section.

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

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

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

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

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

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

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

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

35              (B) Multiply the quotient obtained under subdivision  
36 (b)(2)(A) of this section by the most recent federal decennial census

1 population of each county; and

2 (C)(i) Divide the product obtained under subdivision  
3 (b)(2)(B) of this section by the planning and development district population  
4 in which the county is located to determine the portion per county.

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

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

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

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

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

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

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

24 (2) For a year in which the regional solid waste management  
25 district did not receive funds to cover administrative costs of an approved  
26 computer and electronic equipment recycling program, ten percent (10%) of the  
27 funds for that year as calculated by the department using a combination of  
28 the two (2) methods stated in subsections (b) and (c) of this section.

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

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

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2 SECTION 3. DO NOT CODIFY. (a) The Arkansas Department of  
3 Environmental Quality shall disburse immediately, without further  
4 requirements, funds awarded to a regional solid waste management district  
5 under a grant program repealed by Act 1333 of 2013.

6 (b) The Arkansas Department of Environmental Quality shall not  
7 require:

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

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