

State of Arkansas
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As Engrossed: H3/11/15 H3/18/15
A Bill

HOUSE BILL 1496

By: Representatives Lampkin, K. Ferguson

For An Act To Be Entitled

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

Subtitle

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

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

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 Arkansas Code § 8-6-614 is repealed.

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

/s/Lampkin

APPROVED: 04/07/2015