

LD0052637

SENATE BILL NO. 881

Senate Amendments in [] — February 6, 1995

A BILL to amend and reenact §§ 2.1-1.6, 9-6.25:1, 10.1-1414, 10.1-1415, 10.1-1416, 10.1-1422 and 58.1-1710 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 10.1-1422.01 through 10.1-1422.05 and by adding in Article 1 of Chapter 17 of Title 58.1 a section numbered 58.1-1705, relating to litter control and recycling.

Patrons—Cross, Calhoun, Chichester, Colgan, Gartlan, Goode, Hawkins, Holland, C.A., Holland, E.M., Houck, Howell, Miller, K.G., Nolen, Potts, Saslaw, Stolle, Waddell and Walker; Delegates: Cranwell, Croshaw, Crouch, Deeds, Forbes, Grayson, Hargrove, Hull, Ingram, Jones, J.C., Miller, Mims, Moore, Moss, Nelms, Plum, Puller, Ruff and Woodrum

Referred to the Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.6, 9-6.25:1, 10.1-1414, 10.1-1415, 10.1-1416, 10.1-1422 and 58.1-1710 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 10.1-1422.01 through 10.1-1422.05 and by adding in Article 1 of Chapter 17 of Title 58.1 a section numbered 58.1-1705, as follows:

§ 2.1-1.6. State boards.

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies affiliated with a state agency within the executive branch:

Accountancy, Board for
Aging, Advisory Board on the
Agriculture and Consumer Services, Board of
Air Pollution, State Advisory Board on
Alcoholic Beverage Control Board, Virginia
Apple Board, Virginia State
Appomattox State Scenic River Advisory Board
Aquaculture Advisory Board
Architects, Professional Engineers, Land Surveyors and Landscape Architects, State Board for
Art and Architectural Review Board
Athletic Board, Virginia
Auctioneers Board
Audiology and Speech-Language Pathology, Board of
Aviation Board, Virginia
Barbers, Board for
Branch Pilots, Board for
Bright Flue-Cured Tobacco Board, Virginia
Building Code Technical Review Board, State
Catoclin Creek State Scenic River Advisory Board
Cattle Industry Board, Virginia
Cave Board
Certified Seed Board, State
Chesapeake Bay Local Assistance Board
Chickahominy State Scenic River Advisory Board
Child Abuse and Neglect, Advisory Board on
Chippokes Plantation Farm Foundation, Board of Trustees
Clinch Scenic River Advisory Board
Coal Mining Examiners, Board of
Coal Research and Development Advisory Board, Virginia
Coal Surface Mining Reclamation Fund Advisory Board
Conservation and Development of Public Beaches, Board on
Conservation and Recreation, Board of
Contractors, Board for
Corn Board, Virginia
Correctional Education, Board of
Corrections, State Board of
Cosmetology, Board for

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60	Criminal Justice Services Board
61	Dark-Fired Tobacco Board, Virginia
62	Deaf and Hard-of-Hearing, Advisory Board for the Department for the
63	Dentistry, Board of
64	Education, State Board of
65	Egg Board, Virginia
66	Emergency Medical Services Advisory Board
67	Employment Agency Advisory Board
68	Farmers Market Board, Virginia
69	Film Office Advisory Board
70	Fire Services Board, Virginia
71	Forensic Science Advisory Board
72	Forestry, Board of
73	Funeral Directors and Embalmers, Board of
74	Game and Inland Fisheries, Board of
75	Geology, Board for
76	Goose Creek Scenic River Advisory Board
77	Health Planning Board, Virginia
78	Health Professions, Board of
79	Health, State Board of
80	Hearing Aid Specialists, Board for
81	Hemophilia Advisory Board
82	Historic Resources, Board of
83	Housing and Community Development, Board of
84	Industrial Development Services Advisory Board
85	Insurance Advisory Board, State
86	Irish Potato Board, Virginia
87	Laboratory Services Advisory Board
88	<i>Litter Control and Recycling Fund Advisory Board</i>
89	Marine Products Board, Virginia
90	Medical Advisory Board, Department of Motor Vehicles
91	Medical Board of the Virginia Retirement System
92	Medicare and Medicaid, Advisory Board on
93	Medicine, Board of
94	Mental Health, Mental Retardation and Substance Abuse Services Board, State
95	Migrant and Seasonal Farmworkers Board
96	Military Affairs, Board of
97	Mineral Mining Examiners, Board of
98	Minority Business Enterprise, Interdepartmental Board of the Department of
99	Motor Vehicle Dealers' Advisory Board
100	Networking Users Advisory Board, State
101	Nottoway State Scenic River Advisory Board
102	Nursing, Board of
103	Nursing Home Administrators, Board of
104	Occupational Therapy, Advisory Board on
105	Oil and Gas Conservation Board, Virginia
106	Opticians, Board for
107	Optometry, Board of
108	Peanut Board, Virginia
109	Personnel Advisory Board
110	Pesticide Control Board
111	Pharmacy, Board of
112	Physical Therapy to the Board of Medicine, Advisory Board on
113	Plant Pollination Advisory Board
114	Polygraph Examiners Advisory Board
115	Pork Industry Board, Virginia
116	Poultry Products Board, Virginia
117	Private College Advisory Board
118	Private Security Services Advisory Board
119	Professional and Occupational Regulation, Board for
120	Professional Counselors, Board of
121	Professional Soil Scientists, Board for

- 122 Psychiatric Advisory Board
- 123 Psychology, Board of
- 124 Public Buildings Board, Virginia
- 125 Public Telecommunications Board, Virginia
- 126 Radiation Advisory Board
- 127 Real Estate Appraiser Board
- 128 Real Estate Board
- 129 Reciprocity Board, Department of Motor Vehicles
- 130 Recreational Fishing Advisory Board, Virginia
- 131 Recreation Specialists, Board of
- 132 Reforestation Board
- 133 Rehabilitation Providers, Advisory Board on
- 134 Rehabilitative Services, Board of
- 135 Respiratory Therapy, Advisory Board on
- 136 Retirement System Review Board
- 137 Rockfish State Scenic River Advisory Board
- 138 Safety and Health Codes Board
- 139 Seed Potato Board
- 140 Sewage Handling and Disposal Appeal Review Board, State Health Department
- 141 Shenandoah State Scenic River Advisory Board
- 142 Small Business Advisory Board
- 143 Small Business Environmental Compliance Advisory Board
- 144 Small Grains Board, Virginia
- 145 Social Services, Board of
- 146 Social Work, Board of
- 147 Soil and Water Conservation Board, Virginia
- 148 Soybean Board, Virginia
- 149 State Air Pollution Control Board
- 150 Substance Abuse Certification Board
- 151 Surface Mining Review, Board of
- 152 Sweet Potato Board, Virginia
- 153 Teacher Education and Licensure, Advisory Board on
- 154 Tourism and Travel Services Advisory Board
- 155 Toxic Substances Advisory Board
- 156 Transportation Board, Commonwealth
- 157 Transportation Safety, Board of
- 158 Treasury Board, The, Department of the Treasury
- 159 Veterans' Affairs, Board on
- 160 Veterinary Medicine, Board of
- 161 Virginia Board for Asbestos Licensing
- 162 Virginia Coal Mine Safety Board
- 163 Virginia Correctional Enterprises Advisory Board
- 164 Virginia Employment Commission, State Advisory Board for the
- 165 (Effective July 1, 1996) Virginia Higher Education Tuition Trust Fund, Board of the
- 166 Virginia Horse Industry Board
- 167 Virginia Manufactured Housing Board
- 168 Virginia Retirement System, Board of Trustees
- 169 Virginia Waste Management Board
- 170 Visually Handicapped, Virginia Board for the
- 171 Voluntary Formulary Board, Virginia
- 172 War Memorial Foundation, Virginia, Board of Trustees
- 173 Waste Management Facility Operators, Board for
- 174 Water Resources Research Center Statewide Advisory Board, Virginia
- 175 Waterworks and Wastewater Works Operators, Board for
- 176 Well Review Board, Virginia
- 177 Youth and Family Services, State Board of.
- 178 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 179 referred to as boards:
- 180 Compensation Board
- 181 State Board of Elections
- 182 State Water Control Board

183 Virginia Parole Board
184 Virginia Veterans Care Center Board of Trustees.
185 § 9-6.25:1. Advisory boards, commissions and councils.
186 There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the
187 following advisory boards, commissions and councils within the executive branch:
188 Advisory Board for the Department for the Deaf and Hard-of-Hearing
189 Advisory Board for the Department for the Aging
190 Advisory Board on Child Abuse and Neglect
191 Advisory Board on Medicare and Medicaid
192 Advisory Board on Occupational Therapy
193 Advisory Board on Physical Therapy to the Board of Medicine
194 Advisory Board on Rehabilitation Providers
195 Advisory Board on Respiratory Therapy to the Board of Medicine
196 Advisory Board on Teacher Education and Licensure
197 Advisory Council on Revenue Estimates
198 Advisory Council on the Virginia Business-Education Partnership Program
199 Appomattox State Scenic River Advisory Board
200 Aquaculture Advisory Board
201 Art and Architectural Review Board
202 (Effective until July 1, 1995) Board for the Visually Handicapped
203 Board of Directors, Virginia Truck and Ornaments Research Station
204 Board of Forestry
205 Board of Military Affairs
206 Board of Rehabilitative Services
207 Board of Transportation Safety
208 Board of Trustees of the Family and Children's Trust Fund
209 Board of Visitors, Gunston Hall Plantation
210 Board on Veterans' Affairs
211 Catoctin Creek State Scenic River Advisory Board
212 Cave Board
213 Chickahominy State Scenic River Advisory Board
214 Clinch Scenic River Advisory Board
215 Coal Surface Mining Reclamation Fund Advisory Board
216 Council on Indians
217 Council on the Status of Women
218 Debt Capacity Advisory Committee
219 Emergency Medical Services Advisory Board
220 Falls of the James Committee
221 Film Office Advisory Board
222 Forensic Science Advisory Board
223 Goose Creek Scenic River Advisory Board
224 Governor's Council on Alcohol and Drug Abuse Problems
225 Governor's Mined Land Reclamation Advisory Committee
226 Hemophilia Advisory Board
227 Human Services Information and Referral Advisory Council
228 Industrial Development Services Advisory Board
229 Interagency Coordinating Council on Housing for the Disabled
230 Interdepartmental Board of the State Department of Minority Business Enterprise
231 Laboratory Services Advisory Board
232 *Litter Control and Recycling Fund Advisory Board*
233 Local Advisory Board to the Blue Ridge Community College
234 Local Advisory Board to the Central Virginia Community College
235 Local Advisory Board to the Dabney S. Lancaster Community College
236 Local Advisory Board to the Danville Community College
237 Local Advisory Board to the Eastern Shore Community College
238 Local Advisory Board to the Germanna Community College
239 Local Advisory Board to the J. Sargeant Reynolds Community College
240 Local Advisory Board to the John Tyler Community College
241 Local Advisory Board to the Lord Fairfax Community College
242 Local Advisory Board to the Mountain Empire Community College
243 Local Advisory Board to the New River Community College
244 Local Advisory Board to the Northern Virginia Community College

245	Local Advisory Board to the Patrick Henry Community College
246	Local Advisory Board to the Paul D. Camp Community College
247	Local Advisory Board to the Piedmont Virginia Community College
248	Local Advisory Board to the Rappahannock Community College
249	Local Advisory Board to the Southwest Virginia Community College
250	Local Advisory Board to the Thomas Nelson Community College
251	Local Advisory Board to the Tidewater Community College
252	Local Advisory Board to the Virginia Highlands Community College
253	Local Advisory Board to the Virginia Western Community College
254	Local Advisory Board to the Wytheville Community College
255	Long-Term Care Council
256	Maternal and Child Health Council
257	Medical Advisory Board, Department of Motor Vehicles
258	Medical Board of the Virginia Retirement System
259	Migrant and Seasonal Farmworkers Board
260	Motor Vehicle Dealer's Advisory Board
261	Nottoway State Scenic River Advisory Board
262	Personnel Advisory Board
263	Plant Pollination Advisory Board
264	Private College Advisory Board
265	Private Enterprise Commission
266	Private Security Services Advisory Board
267	Psychiatric Advisory Board
268	Radiation Advisory Board
269	Rappahannock Scenic River Advisory Board
270	Recreational Fishing Advisory Board, Virginia
271	Reforestation Board
272	Retirement System Review Board
273	Rockfish State Scenic River Advisory Board
274	Shenandoah State Scenic River Advisory Board
275	Small Business Advisory Board
276	Small Business Environmental Compliance Advisory Board
277	St. Mary's Scenic River Advisory Committee
278	State Advisory Board on Air Pollution
279	State Advisory Board for the Virginia Employment Commission
280	State Building Code Technical Review Board
281	State Council on Local Debt
282	State Health Benefits Advisory Council
283	State Insurance Advisory Board
284	State Land Evaluation Advisory Council
285	State Networking Users Advisory Board
286	State Public Records Advisory Council
287	Statewide Independent Living Council
288	Statewide Rehabilitation Advisory Council
289	Statewide Rehabilitation Advisory Council for the Blind
290	Staunton Scenic River Advisory Committee
291	Telecommunications Relay Service Advisory Board
292	Tourism and Travel Services Advisory Board
293	Toxic Substances Advisory Board
294	Virginia Advisory Commission on Intergovernmental Relations
295	Virginia Advisory Council for Adult Education and Literacy
296	Virginia Coal Mine Safety Board
297	Virginia Coal Research and Development Advisory Board
298	Virginia Commission for the Arts
299	Virginia Commission on the Bicentennial of the United States Constitution
300	Virginia Correctional Enterprises Advisory Board
301	Virginia Council on Coordinating Prevention
302	Virginia Equal Employment Opportunity Council
303	Virginia Interagency Coordinating Council
304	Virginia Military Advisory Council
305	Virginia Public Buildings Board

306 Virginia Recycling Markets Development Council
307 Virginia Technology Council
308 Virginia Transplant Council
309 Virginia Water Resources Research Center, Statewide Advisory Board
310 Virginia Winegrowers Advisory Board.
311 § 10.1-1414. Definitions.
312 As used in this article, unless the context requires a different meaning:
313 *"Advisory Board" means the Litter Control and Recycling Fund Advisory Board;*
314 *"Disposable package" or "container" means all packages or containers intended or used to contain*
315 *solids, liquids or materials and so designated;*
316 *"Fund" means the Litter Control and Recycling Fund;*
317 *"Litter" means all waste material disposable packages or containers but not including the wastes of*
318 *the primary processes of mining, logging, sawmilling, farming, or manufacturing;*
319 *"Litter bag" means a bag, sack, or durable material which is large enough to serve as a receptacle for*
320 *litter inside a vehicle or watercraft which is similar in size and capacity to a state approved litter bag;*
321 *"Litter receptacle" means containers acceptable to the Department for the depositing of litter;*
322 *"Person" means any natural person, corporation, association, firm, receiver, guardian, trustee,*
323 *executor, administrator, fiduciary, representative or group of individuals or entities of any kind;*
324 *"Public place" means any area that is used or held out for use by the public, whether owned or*
325 *operated by public or private interests;*
326 *"Recycling" means the process of separating a given waste material from the waste stream and*
327 *processing it so that it may be used again as a raw material for a product which may or may not be*
328 *similar to the original product;*
329 *"Sold within the Commonwealth" or "sales of the business within the Commonwealth" means all*
330 *sales of retailers engaged in business within the Commonwealth and in the case of manufacturers and*
331 *wholesalers, sales of products for use and consumption within the Commonwealth;*
332 *"Vehicle" includes every device capable of being moved upon a public highway and in, upon, or by*
333 *which any person or property may be transported upon a public highway, except devices moved by*
334 *human power or used exclusively upon stationary rails or tracks; and*
335 *"Watercraft" means any boat, ship, vessel, barge, or other floating craft.*
336 § 10.1-1415. Litter Control Program.
337 The ~~Director~~*Department* shall ~~establish within the Department a Division of Litter Control and~~
338 ~~Recycling to conduct a continuous program support local, regional and statewide programs~~ to control,
339 prevent and eliminate litter from the Commonwealth and to encourage the recycling of discarded
340 materials to the maximum practical extent. ~~He shall appoint a qualified person to direct the work of the~~
341 ~~Division. The Department shall administer such program with funds generated from litter control taxes~~
342 ~~and from such other funds as may be appropriated. Litter control taxes shall include the taxes increased~~
343 ~~by Chapter 616 of the 1977 Acts of Assembly and the taxes imposed under §§ 58.1-1700 through~~
344 ~~58.1-1710. Every department of state government and all governmental units and agencies of the~~
345 ~~Commonwealth shall cooperate with the Department in the administration and enforcement of this~~
346 ~~article.~~
347 This article is intended to add to and coordinate existing litter control removal and recycling efforts,
348 and not to terminate existing efforts nor, except as specifically stated, to repeal or affect any state law
349 governing or prohibiting litter or the control and disposition of waste.
350 § 10.1-1416. Collection and survey of litter.
351 Collections and surveys of the kinds of litter that are discarded in violation of the laws of the
352 Commonwealth shall be conducted as the need is determined by the Department, *after receipt of the*
353 *recommendations of the Advisory Board*, or as directed by the General Assembly. The survey shall
354 include litter found throughout the Commonwealth, including standard metropolitan statistical areas and
355 rural and recreational areas. To the fullest extent possible, in standard metropolitan statistical areas the
356 Department of Transportation shall make use of local litter and trash collection services through
357 arrangements with local governing bodies and appropriate agencies, in the discharge of the duties
358 imposed by this section. The Department of Transportation shall report to the Governor, the General
359 Assembly and the Department as to the amount of litter collected pursuant to this section and shall
360 include in its report an analysis of litter types, their weights and volumes, and, where practicable, the
361 recyclability of the types of products, packages, wrappings and containers which compose the principal
362 amounts of the litter collected. The products whose packages, wrappings and containers constitute the
363 litter shall include, but not be limited to the following categories:
364 1. Food for human or pet consumption;
365 2. Groceries;
366 3. Cigarettes and tobacco products;
367 4. Soft drinks and carbonated waters;

368 5. Beer and other malt beverages;
 369 6. Wine;
 370 7. Newspapers and magazines;
 371 8. Paper products and household paper;
 372 9. Glass containers;
 373 10. Metal containers;
 374 11. Plastic or fiber containers made of synthetic material;
 375 12. Cleaning agents and toiletries;
 376 13. Nondrug drugstore sundry products;
 377 14. Distilled spirits; and
 378 15. Motor vehicle parts.
 379 § 10.1-1422. Further duties of Department.
 380 In addition to the foregoing duties the Department shall:
 381 1. Serve as the coordinating agency between the various industry and business organizations seeking
 382 to aid in the recycling and anti-litter effort;
 383 2. Recommend to local governing bodies that they adopt ordinances similar to the provisions of this
 384 article;
 385 3. Cooperate with all local governments to accomplish coordination of local recycling and anti-litter
 386 efforts;
 387 4. Encourage, ~~organize, and coordinate~~ all voluntary local recycling and anti-litter campaigns seeking
 388 to focus the attention of the public on the programs of the Commonwealth to control and remove litter
 389 and encourage recycling;
 390 5. Investigate the availability of, and apply for, funds available from any private or public source to
 391 be used in the program provided for in this article;
 392 6. Allocate funds annually for the study of available research and development in recycling and litter
 393 control, removal, and disposal, as well as study methods for implementation in the Commonwealth of
 394 such research and development. In addition, such funds may be used for the development of public
 395 educational programs concerning the litter problem and recycling. Grants shall be made available for
 396 these purposes to those persons deemed appropriate and qualified by the Board or the Department;
 397 7. Investigate the methods and success of other techniques in recycling and the control of litter, and
 398 develop, encourage and coordinate programs in the Commonwealth to utilize successful techniques in
 399 recycling and the control and elimination of litter;
 400 8. ~~Promulgate regulations for making either direct or matching grants to localities to promote~~
 401 ~~enforcement of anti-litter statutes and ordinances and to enhance local recycling and litter control~~
 402 ~~programs; and~~
 403 9. Expend, *after receiving the recommendations of the Advisory Board*, at least ~~fifty~~seventy-five
 404 percent of the funds ~~allocated~~deposited annually to the Litter Control and Recycling Program into the
 405 Fund pursuant to contracts with localities. The Department may enter into contracts with planning
 406 district commissions for the receipt and expenditure of funds attributable to localities which designate in
 407 writing to the Department a planning district commission as the agency to receive and expend funds
 408 hereunder.
 409 § 10.1-1422.01. Litter Control and Recycling Fund established; use of moneys; purpose of Fund.
 410 A. All moneys collected from the taxes imposed under §§ 58.1-1700 through 58.1-1710 and by the
 411 taxes increased by Chapter 616 of the 1977 Acts of Assembly, shall be paid into the treasury and
 412 credited to a special nonreverting fund known as the Litter Control and Recycling Fund, which is
 413 hereby established. The Fund shall be established on the books of the Comptroller. Any moneys
 414 remaining in the Fund shall not revert to the general fund but shall remain in the Fund. Interest earned
 415 on such moneys shall remain in the Fund and be credited to it. The Director is authorized to release
 416 money from the Fund on warrants issued by the Comptroller after receiving and considering the
 417 recommendations of the Advisory Board for the purposes enumerated in subsection B of this section.
 418 B. Moneys from the Fund shall be expended, according to the allocation formula established in
 419 subsection C of this section, for the following purposes:
 420 1. Local litter prevention and recycling grants to localities that meet the criteria established in
 421 § 10.1-1422.04;
 422 2. Statewide and regional litter prevention and recycling educational program grants to persons
 423 meeting the criteria established in § 10.1-1422.05; and
 424 3. Payment to (i) the Department to process the grants authorized by this article and (ii) the
 425 administrative costs of the Advisory Board. The Director shall assign one person in the Department to
 426 serve as a contact for persons interested in the Fund.
 427 C. All moneys deposited into the Fund shall be expended pursuant to the following allocation
 428 formula:

429 1. Seventy-five percent for grants made to localities pursuant to subdivision B 1 of this section;
430 2. Twenty percent for statewide and regional educational program grants made pursuant to
431 subdivision B 2 of this section; and

432 3. Five percent for the administrative expenditures authorized pursuant to subdivision B 3 of this
433 section.

434 § 10.1-1422.02. Litter Control and Recycling Fund Advisory Board established; duties and
435 responsibilities.

436 There is hereby created the Litter Control and Recycling Fund Advisory Board. The Advisory Board
437 shall:

438 1. Review applications received by the Department for grants from the Fund and make
439 recommendations to the Director for the award of all grants authorized pursuant to § 10.1-1422.01;

440 2. Promote the control, prevention and elimination of litter from the Commonwealth and encourage
441 the recycling of discarded materials to the maximum practical extent; and

442 3. Advise the Director on such other litter control and recycling matters as may be requested by the
443 Director or any other state agency.

444 § 10.1-1422.03. Membership, meetings, and staffing.

445 A. The Advisory Board shall consist of five persons appointed by the Governor. Three members shall
446 represent persons paying the taxes which are deposited into the Fund and shall include one member
447 appointed from nominations submitted by recognized industry associations representing retailers; one
448 member appointed from nominations submitted by recognized industry associations representing soft
449 drink distributors; and one member appointed from nominations submitted by recognized industry
450 associations representing beer distributors. One member shall be a local litter or recycling coordinator.
451 One member shall be from the general public.

452 B. Members shall serve four-year terms unless found to violate subsection E of this section. They
453 shall not receive a per diem, compensation for their service, or travel expenses.

454 C. The Advisory Board shall elect a chairman and vice-chairman annually from among its members.
455 The Advisory Board shall meet at least twice annually on such dates and at such times as they
456 determine. Three members of the Advisory Board shall constitute a quorum.

457 D. Staff support and associated administrative expenses of the Advisory Board shall be provided by
458 the Department from funds allocated from the Fund.

459 E. Any member who is absent from three consecutive meetings of the Advisory Board, as certified by
460 the Chairman of the Advisory Board to the Secretary of the Commonwealth, shall be dismissed as a
461 member of the Advisory Board. The replacement of any dismissed member shall be appointed pursuant
462 to subsection A of this section and meet the same membership criteria as the member who has been
463 dismissed.

464 § 10.1-1422.04. Local litter prevention and recycling grants; eligibility and funding process.

465 The Director shall award local litter prevention and recycling grants to localities that apply for such
466 grants and meet the eligibility requirements established in the Department's Guidelines for Litter
467 Prevention and Recycling Grants (DEQ-LPR-2) which were in effect on January 1, 1995, and as may be
468 amended by the Advisory Board after notice and opportunity to be heard by persons interested in grants
469 awarded pursuant to this section. Grants awarded by the Director shall total the amount of Litter
470 Control and Recycling Funds available annually as provided in subdivision B 1 of § 10.1-1422.01.

471 § 10.1-1422.05. Statewide and regional litter control and recycling grants.

472 The Director, after receiving the recommendations of the Advisory Board, shall award statewide and
473 regional litter prevention and recycling grants to persons for the public purpose of the development and
474 implementation of statewide and regional litter prevention and recycling educational programs. For
475 purposes of this section, the term "person" includes any nonprofit entity that the Director finds has
476 experience and success in statewide litter control and recycling educational programs and has a
477 membership that represents the Commonwealth at large as well as any person meeting the definition of
478 "person" in § 10.1-1414. Grants awarded by the Director pursuant to this section shall total the amount
479 of litter control and recycling funds available annually as provided in subdivision B 2 of § 10.1-1422.01.

480 § 58.1-1705. Disposition of proceeds.

481 All moneys collected pursuant to this article, minus the necessary expenses of the Department of
482 Taxation for the administration of this tax, as certified by the Commissioner, shall be deposited into the
483 Litter Control and Recycling Fund established pursuant to § 10.1-1422.01.

484 § 58.1-1710. Disposition of proceeds.

485 All moneys collected pursuant to this article, minus the necessary expenses of the Department of
486 Taxation for the administration of this tax, as certified by the Commissioner, shall be deposited into the
487 general fund of the state treasury Litter Control and Recycling Fund established pursuant to
488 § 10.1-1422.01.

489 2. That [this act shall become effective July 1, 1995; however, the amendments made to
490 §§ 10.1-1415 and 10.1-1422 by this act, and §§ 10.1-1422.04 and 10.1-1422.05 shall become effective

491 July 1, 1996.

492 3. That any moneys deposited into the Fund prior to July 1, 1996, in an amount equal to that
493 appropriated for such a purpose in fiscal year 1995-1996 by Chapter 996 of the 1994 Acts of
494 Assembly, shall be expended by the Director to fund the Division of Litter Control and Recycling
495 as required by § 10.1-1415 until the amendments to that section made by the first enactment of
496 this act become effective July 1, 1996. the provisions of §§ 10.1-1422.02 and 10.1-1422.03 of the
497 Code of Virginia shall become effective on July 1, 1995, and the other provisions of the first
498 enactment shall become effective on July 1, 1996.]

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