

**REPEAL OF WASTE TIRE RECYCLING
INDUSTRIAL ASSISTANCE LOAN PROGRAM**

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Neal B. Hendrickson

AN ACT RELATING TO WASTE TIRE RECYCLING; TERMINATING THE WASTE TIRE RECYCLING INDUSTRIAL ASSISTANCE LOAN PROGRAM; TRANSFERRING THE ASSETS AND LIABILITIES OF THE WASTE TIRE RECYCLING INDUSTRIAL ASSISTANCE LOAN FUND TO THE WASTE TIRE RECYCLING EXPENDABLE TRUST FUND; PROVIDING FOR ADMINISTRATION OF OUTSTANDING LOANS; MAKING TECHNICAL AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

26-32a-105, as last amended by Chapter 10, Laws of Utah 1997

63-55-209, as last amended by Chapters 21, 76 and 156, Laws of Utah 1999

63-55-226, as last amended by Chapter 156, Laws of Utah 1999

ENACTS:

26-32a-114.5, Utah Code Annotated 1953

REPEALS:

9-2-1208, as enacted by Chapter 213, Laws of Utah 1995

26-32a-114, as enacted by Chapter 213, Laws of Utah 1995

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-32a-105** is amended to read:

26-32a-105. Trust fund -- Creation -- Deposits.

(1) There is created the Waste Tire Recycling Expendable Trust Fund.

(2) The contents of the trust fund shall consist of:

~~[(2) Proceeds]~~ (a) the proceeds of the fee ~~[shall be deposited in the trust fund for payment~~

28 of partial reimbursement and payments under Section 26-32a-107.7:] imposed under Section
29 26-32a-104;

30 (b) penalties collected under this part; and

31 (c) assets transferred to and loan repayments deposited in the trust fund pursuant to Section
32 26-32a-114.5.

33 (3) Money in the trust fund shall be used for:

34 (a) partial reimbursement of the costs of transporting, processing, recycling, or disposing
35 of waste tires as provided in this part;

36 (b) payment of administrative costs of local health departments as provided in Section
37 26-32a-111.5;

38 (c) payment of costs incurred by the Division of Finance in accounting for and tracking
39 outstanding loans made under the Waste Tire Recycling Industrial Assistance Loan Program; and

40 (d) payment of costs incurred by the Department of Community and Economic
41 Development in collecting outstanding loans made under the Waste Tire Recycling Industrial
42 Assistance Loan Program.

42a h (4) THE LEGISLATURE MAY APPROPRIATE MONEY FROM THE TRUST FUND TO PAY FOR
42b COSTS OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY IN ADMINISTERING AND ENFORCING
42c THIS PART. h

43 Section 2. Section **26-32a-114.5** is enacted to read:

44 **26-32a-114.5. Transfer of assets and liabilities from Waste Tire Recycling Industrial**
45 **Assistance Loan Fund to trust fund -- Administration of outstanding loans.**

46 (1) The assets and liabilities of the Waste Tire Recycling Industrial Assistance Loan Fund
47 shall be transferred to the trust fund.

48 (2) The Division of Finance shall account for and track any outstanding loans made under
49 the Waste Tire Recycling Industrial Assistance Loan Program.

50 (3) (a) The Department of Community and Economic Development shall administer the
51 collection of any outstanding loans made under the Waste Tire Recycling Industrial Assistance
52 Loan Program.

53 (b) Any loan repayments shall be deposited in the trust fund.

54 Section 3. Section **63-55-209** is amended to read:

55 **63-55-209. Repeal dates, Title 9.**

56 (1) Title 9, Chapter 1, Part 8, Commission on National and Community Service Act, is
57 repealed July 1, 2004.

58 [(2) Title 9, Chapter 2, Part 3, Small Business Advisory Council, is repealed July 1, 1999.]

59 ~~[(3)]~~ (2) Title 9, Chapter 2, Part 4, Enterprise Zone Act, is repealed July 1, 2008.

60 ~~[(4)]~~ (3) Title 9, Chapter 13, Utah Technology and Small Business Finance Act, is repealed
61 July 1, 2002.

62 ~~[(5) Section 9-2-1208 regarding waste tire recycling loans is repealed July 1, 2000.]~~

63 ~~[(6)]~~ (4) Title 9, Chapter 2, Part 16, Recycling Market Development Zone Act, is repealed
64 July 1, 2000, Sections 59-7-610 and 59-10-108.7 are repealed for tax years beginning on or after
65 January 1, 2001.

66 ~~[(7)]~~ (5) Title 9, Chapter 3, Part 3, Heber Valley Historic Railroad Authority, is repealed
67 July 1, 2009.

68 ~~[(8) Title 9, Chapter 4, Part 4, Disaster Relief, is repealed July 1, 1999.]~~

69 ~~[(9)]~~ (6) Title 9, Chapter 4, Part 9, Utah Housing Finance Agency Act, is repealed July 1,
70 2006.

71 Section 4. Section **63-55-226** is amended to read:

72 **63-55-226. Repeal dates, Title 26.**

73 (1) Title 26, Chapter 1, Department of Health Organization, is repealed July 1, 2001.

74 (2) Title 26, Chapter 4, Utah Medical Examiner Act, is repealed July 1, 2000.

75 (3) Title 26, Chapter 10, Family Health Services, is repealed July 1, 2000.

76 (4) Title 26, Chapter 18, Medical Assistance Act, is repealed July 1, 2004.

77 (5) Title 26, Chapter 32a, Waste Tire Recycling Act, is repealed July 1, 2000.

78 (6) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1, 2004.

79 ~~[(7) Section 26-32a-114 is repealed July 1, 2000.]~~

80 Section 5. **Repealer.**

81 This act repeals:

82 Section **9-2-1208, Waste tire recycling industry loans.**

83 Section **26-32a-114, Loans from trust fund to promote tire recycling industries.**

84 Section 6. **Effective date.**

85 If approved by two-thirds of all the members elected to each house, this act takes effect

86 upon approval by the governor, or the day following the constitutional time limit of Utah

87 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the

88 date of veto override.

88a **§ Section 7. Coordination clause. §**

88b § IF THIS BILL AND H.B. 215, WASTE TIRE RECYCLING AMENDMENTS, BOTH PASS, IT IS THE
88c INTENT OF THE LEGISLATURE THAT THE AMENDMENTS IN SECTION 26-32a-105 IN THIS BILL
88d SUPERSEDE THE AMENDMENTS TO SECTION 26-32a-105 IN H.B. 215. §

Legislative Review Note
as of 1-7-00 8:52 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel