

**WEST VIRGINIA  
SECRETARY OF STATE  
KEN HECHLER  
ADMINISTRATIVE LAW DIVISION**

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APR 7 2 55 PM '99

OFFICE OF THE WEST VIRGINIA  
SECRETARY OF STATE

Form #6

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED  
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: Division of Natural Resources TITLE NUMBER: 58

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 05

TITLE OF RULE BEING AMENDED: Recycling Assistance Fung Grant Program

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: \_\_\_\_\_

TITLE OF RULE BEING PROPOSED: \_\_\_\_\_

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB 2535

SECTION 64-10-1(a) PASSED ON March 10, 1999

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON  
THE FOLLOWING DATE: July 30, 1999

  
Authorized Signature

\$5.40

**TITLE 58**  
**BUREAU OF COMMERCE**  
**DIVISION OF NATURAL RESOURCES**  
**SERIES 5**  
**RECYCLING ASSISTANCE GRANT PROGRAM**

MAY 7 2 55 PM '93  
OFFICE OF THE SECRETARY  
SECRETARY OF COMMERCE

**§58-5-1. General.**

1.1. Scope and Purpose. - This rule sets out guidelines and procedures for providing assistance grants to counties, municipalities, and others planning and implementing recycling programs, related public education programs, and recycling market procurement efforts.

1.2. Authority. - West Virginia Code §20-11-5a(h)(1).

1.3. Filing date.

1.4. Effective Date.

1.5. Refiling of rule. The director shall refile this rule consistent with the provisions of West Virginia Code §29A-3-9 and §29-3-12, for consideration by the legislature during the year 2000 regular session.

**§58-5-2. Definitions.**

2.1. "Director" means the director of the Division of Natural Resources, his or her, authorized representative.

2.2. "Instrumentality" means an agency authorized by state law.

2.3. "Municipality" means an incorporated community.

2.4. "Other Interested Party" means private enterprise and nonprofit organizations.

2.5. "Recycling Market Procurement" means developing markets for the materials generated by collection through a curbside or drop off recycling program.

2.6. "Recyclable Materials" includes, but is not limited to steel and bimetal cans, aluminum, glass, paper, plastic, tires, white goods and yard waste.

2.7. "Source Separated" means materials separated from general solid waste at the point of origin for the purpose of reuse and recycling but does not include sewage sludge.

2.8. "White Goods" means bulky appliances such as stoves, hot water heaters, sinks, washers, dryers, refrigerators, and dishwashers.

2.9. The terms as defined in the Solid Waste Management Regulations, 47 C.S.R. 38, are adopted for use, where applicable, in this rule.

**§58-5-3. Grants Available From Recycling Assistance Grant Program.**

3.1. The recycling assistance grant program provides grants to assist municipalities, counties and others in:

- implementation of recycling programs;
- public education programs which promote recycling; and
- recycling market procurement efforts.

3.2. Recycling Assistance grant proposals that are in compliance with the criteria of section 3.1 of these rules will be evaluated on a competitive basis considering each proposal's objectives towards maximizing the following factors:

- 3.2.1. conservation of limited natural resources
- 3.2.2. public education regarding litter control
- 3.2.3 recycling of valuable materials
- 3.2.4 extending the useful life of solid waste landfills
- 3.2.5. reducing the need for new landfills

3.3. The following types of grants are available:

3.3.1. Local Government Recycling Feasibility Study and Planning Grant -

The grant is for researching the feasibility of community/county/regional recycling programs including market development and entails submittal of a detailed comprehensive plan. A professional service may be utilized to assist in planning and/or implementing a comprehensive recycling program.

3.3.2. Recycling Promotion, Collection Drive, and Office Paper Recovery Grant -

The grant is available to instrumentalities and state and private colleges in the absence of a county, municipal; or state recycling program, as provided for in West Virginia Code §20-11-6. The grant is for the purpose of implementing recycling programs consisting of source separation, collection and transportation activities; and may include school projects, drop-off collection bins, paper collection equipment and special events which increase public awareness of recycling and its benefits.

3.3.3. Local Government Recycling Grant - The grant is for the implementation or expansion of county, municipal and regional recycling programs, and shall emphasize the integration of source reduction and recycling. A comprehensive solid waste management and siting plan developed by the local or regional solid waste authority shall be approved by the West Virginia Solid Waste Management Board to qualify for the grant.

3.3.4. Recycling Market Development Grant - The grant is available to state, regional, county or local governments to assist in developing markets for materials collected and/or processed.

**§58-5-4. Grant Program Priority and Other Criteria.**

4.1. All West Virginia municipalities, county commissions, county and regional solid waste authorities, instrumentalities, proprietorships, partnerships, corporations, private schools, are eligible

to apply for recycling assistance grants as provided for in subsections 3.3.1. through 3.3.4. of this rule, through consultation with the county or regional solid waste authority in which the applicant is located. The recycling assistance fund grant review committee will give priority to those municipalities, counties, state instrumentalities, private schools, proprietorships, partnerships, and cooperations, required to implement recycling programs as a result of a county referendum or pursuant to the provisions of West Virginia Code §20-11-5 and 20-11-6. If a county has adopted a recycling ordinance by referendum vote, the ordinance shall be consistent with the provisions of West Virginia Code §20-11-5© to be eligible for a grant. If the county has one or more municipalities each with a population greater than 10,000, the municipality's program shall, at a minimum, be consistent and coordinated with the county's recycling program. Grant proposals shall meet the following criteria:

4.1.1. Municipalities with populations over 10,000:

4.1.1.a. Proposals for grants under subsection 3.3.1. of this rule shall have work elements that are at a minimum consistent with the provisions of subsections (a) and (b) of West Virginia Code §20-11-5.

4.1.1.b. Proposals for grants under subsection 3.3.3. of this rule shall document that the plan to be implemented has been approved by the solid waste management board. Grant proposals shall include, but not be limited to the following:

- 4.1.1.b.A. source separation of at least three recyclable materials;
- 4.1.1.b.B. collection and transportation of materials to a processing center; and
- 4.1.1.b.C. public education programs which promote recycling.

4.1.2. A county government required pursuant to West Virginia Code §20-11-5(e) to implement a comprehensive recycling solid waste program shall at a minimum develop a program that is in compliance with the provisions of West Virginia Code §20-11-5(c).

4.1.3. Special funding proposals for five or more communities or two or more counties combining their efforts to provide a countywide or multi-county recycling program shall have a comprehensive recycling plan(s) which has been approved by the solid waste management board.

4.2. Municipalities under 10,000; absence of a municipal program; other interested parties:

4.2.1. Municipalities with a population under 10,000 may implement a curbside or drop-off recycling program that includes public education, providing transportation of recyclable materials to a processing center, and integration of other recyclable materials into the program.

4.2.2. In the absence of either a municipal or a countywide recycling program, all instrumentalities, primary and secondary schools, private colleges and universities are eligible to receive grants under subsections 3.3.2. and 3.3.4. of this rule. Grant proposals shall include, but not be limited to the following:

4.2.2.a. source separation of at least two recyclable materials;

4.2.2.b. collection and transportation of materials to a processing center; and

4.2.2.c. public education programs which promote recycling.

4.2.3. Other interested parties may apply for grants provided that grant proposals are consistent with one or more of the objectives listed under section 3.1 of this rule, and include, but are not limited to the recycling activities listed under subsection 4.2.2. of this rule.

4.2.4. Persons responsible for collecting, hauling or disposing of solid waste who do not participate in the collection and payment of the solid waste assessment fee imposed by West

Virginia Code §20-11-5a in addition to all other fees and taxes levied by law for solid waste generated in this state which is destined for disposal, shall not be eligible to receive grants.

**§58-5-5. Use of Grant.**

Recycling assistance grant may be used to:

5.1. Enhance the self-sufficiency of recycling in counties or municipalities by initiation of new or expanded recycling programs providing:

5.1.1. Supplemental wages of personnel directly involved with administration or operation or recycling activities; rent or purchase of recycling equipment, including items such as curbside containers or drop-off boxes; collection and transportation of recyclables; recycling promotion; and recycling market procurement efforts.

5.2. Recycling assistance grant shall be used for:

5.2.1. Personnel - Grant is limited to the salary costs associated with a recycling manager, coordinator, or laborers. No more than a total of \$20,000 may be used from grant funds for the combined wages and/or benefits of a recycling manager, coordinator, and/or laborers.

5.2.2. Travel - Educational recycling conference expenses are limited to outside of the program boundaries and are allowable for: airfare or mileage, meals, lodging, parking and registration fees. Costs are limited to \$1,000 per grant.

5.2.3. Supplies - Grant is allowed for general office supplies, and other supplies, such as collection bags or household bins used for the collection/storage of recyclables.

5.2.4. Equipment - Grant is limited to processing equipment, material handling or storage equipment, scales, and safety equipment used in recycling activities. Equipment is to remain in grantee's name and may be leased, but not transferred to a third party. The Division of Natural Resources shall by grant agreement acquire a lien interest in property and equipment purchased with

grant monies. This lien shall state the period of years in which lien attaches and terms of release. All equipment shall become property of the Division of Natural Resources if the recycling program dissolves. At the discretion of the Director, equipment which has not been productively used for 180 days shall become property of the Division of Natural Resources.

5.2.5. Recycling Vehicle Expense - Grant is limited to the lease/purchase, maintenance, fuel, mileage and insurance for a truck or van used in approved recycling activities. Transporting materials to market using the program's vehicle and labor is an approved recycling activity.

5.2.6. Printing - Grant is limited to costs associated with educational materials on recycling such as pamphlets, posters, flyers, etc.

5.2.7. Advertising - Grant is limited to costs associated with the production and/or placement of recycling advertising in newspaper, radio, business cards, and other advertising related to development and implementation of a recycling program.

5.2.8. Promotional Items - Grant is limited to costs associated with promotional items such as awards, decals, patches, buttons, magnets, and costs associated with the rental of a fair booth and/or exhibit space for creating public awareness.

5.2.9. Professional Services - Grant is to assist in planning and implementation of recycling projects including feasibility studies.

5.2.10. Development Work - Grant is directed towards recycling market procurement.

5.3. Costs not allowed under a recycling assistance grant are:

5.3.1. The purchase or long term lease of dumpsters or other containers, or their servicing, when they are not part of an approved recycling activity.

5.3.2. Land acquisition.

5.3.3. Cost for office equipment including such items as desks, chairs, telephone, typewriters, files, and photocopying equipment.

5.3.4. Street sweepers or their equivalents.

5.3.5. Entertainment costs (banquets, parties, etc.).

5.3.6. Alcoholic beverages, in-state lunches, and all gratuities.

5.3.7. Beautification projects (plantings, mowing, weeding, etc.).

5.3.8. Computer hardware/software, provided that, the director may waive or modify this constraint where appropriately justified by the applicant.

5.3.9. Expenditure of grant for any type of lobbying expense.

**§58-5-6. General Conditions Applicable to Grants.**

6.1. The following general conditions apply to counties, municipalities, and instrumentalities applying for funding under the recycling assistance grant program:

6.1.1. The applicant shall be an eligible municipal or county government, and/or instrumentality with an expressed commitment to recycling as a long-term solid waste management strategy. This commitment shall be in the form of a formal resolution or ordinance from the local governing body, or a formal policy or regulation from a state agency or state instrumentality.

6.1.2. The proposed recycling project shall be a logical extension of the applicant's current solid waste management services and/or authority to manage solid waste through recycling.

6.1.3. The proposed project shall be designed to affect a significant and measurable reduction in the municipal solid waste stream. All grant proposals shall include analysis and projection of materials that will be diverted from the solid waste currently being landfilled and the costs and/or savings that will directly result from the proposed project.

6.1.4. All county or municipal proposals shall plan to involve all or a substantial percentage of the community's residents located in the project area and should include a plan to provide public education regarding the recycling program.

6.1.5. Projects proposed for funding shall be designed to collect and recycle at least three items with respect to municipal and county programs and two items with respect to state agency and state instrumentality programs. These items shall be those that are typically discarded with household solid waste (i.e., newspaper, aluminum, steel and bi-metal cans, glass bottles and jars, and number 1 and 2 plastic containers).

6.1.6. Project proposals shall include a plan to identify markets able to handle the projected volumes of materials to be collected.

6.1.7. The proposal shall clearly demonstrate that the county, municipality, or instrumentality will be directly involved in the planning, administration, implementation, monitoring and evaluation of the project. The overall operation and coordination of the project shall be conducted directly by an agency of local or state government, or one of its instrumentalities.

6.1.8.a. Grant may be utilized by local and state governments or state instrumentalities for recycling projects in which a private "for profit" business or a not-for-profit organization is contracted to provide a service, or services, only so long as the bid for such services is in accordance with the appropriate local or state government competitive bidding process.

6.1.8.b. The applicant shall solicit sealed bids for all construction-related contracts or purchases which have an estimated value of over five thousand dollars (\$5,000). Any attempts by the applicant to segregate the project into sections having an estimated value of less than \$5,000 may be cause for termination of grant.

The bids shall be obtained by public notice as a Class II legal advertisement in compliance

with the provision of W. Va. Code, §59-3-2. This notice shall be published by the applicant in the newspaper with the largest circulation serving the general area twice within fourteen days preceding the final date of submitting bids. The applicant shall have available upon request for review by the Division of Natural Resources or its designated representative, bid documentation and other evidence of compliance with these procedures.

The applicant shall comply with the requirements of W. Va. Code, §5G-1-1 et seq., in regard to obtaining architectural or engineering services, if such services are needed.

6.1.9. Grant may not be used to replace existing personnel, equipment or funding which is currently being provided by the local government.

6.1.10. All grant recipients shall hold the title to equipment listing the West Virginia Division of Natural Resources as first lienholder for the lien term. The lien shall apply to equipment purchased with West Virginia Division of Natural Resources grant in whole or part. A copy of the title shall be submitted to the West Virginia Division of Natural Resources at the address shown in section 14.2 of this rule. The grant recipient shall assume risk of loss.

6.1.11. Public and private sector grants involving equipment shall have subsequent on-site inspections for the term specified.

6.2. The following general conditions apply to non-profit organizations and private enterprise applying for funding under the recycling assistance grant program:

6.2.1. The proposed project shall be designed to affect a significant and measurable reduction in the municipal solid waste stream.

6.2.2. The project may provide recycling market procurement efforts.

6.2.3. The project shall be consistent with one or more of the objectives listed under section 3.1. of this rule, and include, but is not limited to the recycling activities listed under

subsection 4.2.2. of this rule.

6.3. Private Sector Grant Guidelines:

6.3.1 Applicant shall demonstrate through a narrative their past performance in recycling.

6.3.2. All equipment specifications shall be a part of the grant application and include seller's name and price.

6.3.3. All equipment purchases shall be done by public bid.

6.3.4. Maximum amount of grant is \$50,000.

6.3.5. Quarterly reports shall be submitted showing totals of all recyclables whether or not they relate directly to the grant.

6.3.6. All private sector grants shall be subject to the rules and regulations in the general grant guidelines. Where there is a contradiction, section 6.3. shall apply.

**§58-5-7. Schedule of Grants Available.**

7.1. Schedule for one applicant:

<u>Type of Grant</u>	<u>Maximum Grant</u>
Municipality over 10,000 population.	\$100,000
Community/Municipality under 10,000.	\$ 50,000
County or Regional Solid Waste Authority.	\$100,000
State agency/state instrumentality or school.	\$ 50,000
Recycling Promotion, Collection Drive and Office Paper Recovery.	\$ 50,000
Recycling Feasibility Study/Planning.	\$ 20,000
Recycling Market Development.	\$ 20,000
Non-Profit /Other Interested Party.	\$50,000

7.2. Schedule for cooperatives - For a cooperative recycling effort of five or more communities, or two or more counties the maximum grant available will be the maximum for the type of political subdivision times the number of subdivisions involved.

**§58-5-8. Criteria for Developing a Grant Proposal.**

8.1. The grant proposal should demonstrate the relationship to, and support of, the hierarchy established under West Virginia Code §22C-4, i.e., source reduction; recycling, reuse and resource recovery; and landfilling.

8.2. All applicants shall consult with the county or regional solid waste authority in which the proposed project is located to avoid duplication, ensure coordination of solid waste programs, and maximize the market for recyclables. This written consultation shall be attached to and become a part of the grant application. Submission of written consultation is the responsibility of the applicant.

8.3. The proposal shall contain the following:

8.3.a. Policy statement and/or resolution or ordinance as required by the provisions of this rule.

8.3.b. Outline of the materials to be source separated and recycled. The list of recyclable material may be adjusted according to whether the generator is residential, commercial or other type of establishment.

8.3.c. Public information program to ensure receipt of good clean quality materials.

8.3.d. Description of a collection system.

8.3.e. Provisions where required to ensure compliance with West Virginia Code §20-11-1, including incentives and penalties.

8.3.f. Projection of cost effectiveness and self-sufficiency of the proposed project.

8.3.g. Documentation of the type of in-kind services to be provided by the grantee.

8.3.h. Documentation of any other type of grant assistance received, including the dollar amount, type of project, etc., for recycling and/or solid waste management.

8.3.i. Economic development aspects of the project, i.e.: job creation.

**§58-5-9. Recycling Assistance Fund Grant Review Committee.**

9.1. All grant proposals will be reviewed by a recycling assistance grant review committee, composed of the following: a member of a county or regional solid waste authority, and a representative of business or industry, to be appointed by the Director; the Executive Director of the Solid Waste Management Board; the Director of the West Virginia Development Office; the Director of the Division of Environmental Protection; the Director of the Division of Natural Resources or such other person(s) to whom the agency Director has delegated authority or duties. For the purpose of conducting business, four (4) members of the recycling assistance grant review committee are required for a quorum. The Director may only vote to break tie votes of the committee. Approved grants meeting the program's criteria will be submitted to the Director of the Division of Natural Resources for final approval and awarding.

9.2. The Division of Natural Resources through the recycling assistance grant review committee reserves the right to reject any and all proposals. Applicants not selected for grants will be notified by the Division of Natural Resources within a reasonable time after award decisions have been made. Unsuccessful applicants will be given the opportunity to discuss their proposals with appropriate staff.

**§58-5-10. Submittal of Grant Applications; Awarding of Grants; Financial Management; Unexpended Grant and Termination of Grant.**

10.1. All recycling assistance grants are for a one year period beginning the first of January

with a final report due for approval on or before March 31 of the following year.

10.2. Complete recycling assistance fund grant applications shall be submitted to the Division of Natural Resources prior to the first day of August each year. The Division of Natural Resources will notify all grant applicants in relation to funding of their proposal.

10.3. Unless a grant applicant specifically requests and can demonstrate a need for a larger portion of the awarded grant to initiate the project, all grants will be disbursed on the following schedule: 30% at the time of grant award with subsequent payments of 30% to be made every four months upon receipt of a quarterly report. The final payment shall be 10% and shall be withheld until receipt of the fourth quarterly report, as provided for in section eleven (11) of this rule.

10.4. The grantee shall retain and make available upon request by the Division of Natural Resources for a period of three years, all financial records, supporting documents, statistical records, and all other records as they relate to the application, acceptance and use of the grant. The provision of West Virginia Code §12-4-14 apply to all recycling assistance grants. The grantee shall provide the Division of Natural Resources with a copy of the grantee's independently audited financial records that cover the entire grant period.

10.5. All of the unexpended grant remaining.

10.6. If, through any cause, the grantee fails to fulfill in a timely and proper manner its obligation as proposed in the grant application, and as accepted and approved by the Division of Natural Resources, the Division of Natural Resources will terminate payment of remaining grant funds. The grantee shall return any amount of the grant used for unauthorized expenditures. Authorized expenditures are those outlined in the original budget that was approved by the grant review committee.

10.7. The grantee shall comply with all applicable federal, state and local laws, codes,

ordinances, rules and regulations. Failure to comply with grant guidelines could result in withdrawal of the grant award and/or future consideration of grants.

10.8. The grantee shall deposit grant immediately upon receipt in a separate interest bearing account.

10.9. Grantees with a current grant are not eligible for the next cycle of grants. A delinquent final report shall cause ineligibility for future grants.

10.10. A request for a change in budget will only be granted if it does not materially alter the original grant proposal approved by the grant review committee AND the adjustment is a result of conservative spending allowing any excess to be rebudgeted. (Example: Budgeted \$20,000 for purchase of baler. Baler costs \$18,000. The extra \$2,000 may be rebudgeted upon approval.) All requests shall be made in writing.

**§58-5-11. Site Visits and Reports Required.**

11.1. Grantees shall submit a final report for approval on or before March 31 of the following year. The report shall include the following:

11.1.1. An evaluation of successes and failures encountered in implementing the original proposal's work tasks;

11.1.2. An evaluation of the operating costs and community support for the project;

11.1.3. An analysis of the economic development achievements, such as job creation;

11.1.4. An analysis of the project including: total volume (tons) of waste diverted from the solid waste stream, the estimated cost per ton to recycle that volume, the estimated revenue per ton of recycled material, and the estimated savings from recycling in lieu of land filling.

11.5. A complete accounting of the grant expended for the entire year shall be included in the final report.

11.2. A progress status report and expenditure statement shall be submitted by all grantees to the Division of Natural Resources every quarter containing a brief narrative of accomplishments (including individual volumes of material recycled), projections for the next report period and detailed grant expenditures for the past three months.

11.3. The Division of Natural Resources will periodically conduct site visits with grant recipients. These visits will be conducted to provide assistance, to review progress, and to discuss any problems encountered in project implementation. Site visits present important opportunities for direct, on-site communications between the Division of Natural Resources and grant recipients, and may include inspections from the Division of Environmental Protection and site visits from the West Virginia Solid Waste Management Board.

**§58-5-12. Equal Employment Opportunity.**

12.1. To implement the recycling assistance grant, grantee agrees:

12.1.1. That it will not discriminate against any employee or applicant for employment because of race, color, age, religion, sex, or national origin; and

12.1.2. That all solicitations or advertisements for employees placed by or on behalf of grantee shall state that all qualified applicants will receive consideration for employment without regard to race, color, age, religion, sex, or national origin.

**§58-5-13. Certification Regarding Drug-Free Workplace Requirements.**

The Drug-Free Workplace Act of 1988, Title V-D Public Law 100-690, Federal Register, Volume 54, No. 19, and West Virginia Code §60A-2-201 requires that all state governments, federal contractors, and federal and state grant recipients maintain a drug-free workplace. The Act is implemented through additions to the Debarment and Suspension regulations, published in the Federal Register on January 31, 1989. The certification form shall be completed and accompany the

grant application.

**§58-43-14. Submission of Application.**

14.1. The application for a recycling assistance grant shall contain in addition to a description of the proposed project, an estimated budget with justification, certification regarding drug-free workplace, copy of written consultation with the county or regional solid waste authority, application checklist, and where required, a resolution or ordinance authorizing the submission of application. Incomplete applications shall not be considered; they will be marked “incomplete” and returned for resubmittal within a reasonable time period.

14.2. The original and one copy of the application shall be mailed to: West Virginia Division of Natural Resources, 1900 Kanawha Boulevard, East, Building 3, Room 732, Charleston, West Virginia 25305-0665, no later than August 1 of the year prior to the grant year.

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58-5

H. B. 2556

1 Bill-DNR, Recyc

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(By Delegates Hunt, Linch, Compton, Faircloth,  
Jenkins and Riggs)

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[Introduced February 1, 1999; referred to the  
Committee on Agriculture and Natural Resources  
then the Judiciary.]

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10 A BILL to amend and reenact section one, article ten,  
11 chapter sixty-four of the code of West Virginia, one  
12 thousand nine hundred thirty-one, as amended, relating  
13 to authorizing the division of natural resources to  
14 promulgate a legislative rule relating to the recycling  
15 assistance fund grant program.

16 **Be it enacted by the Legislature of West Virginia:**

17 That section one, article ten, chapter sixty-four of  
18 the code of West Virginia, one thousand nine hundred  
19 thirty-one, as amended, be amended and reenacted to read as  
20 follows:

21 **ARTICLE 10. AUTHORIZATION FOR BUREAU OF COMMERCE TO**  
22 **PROMULGATE LEGISLATIVE RULES.**

23 **§64-10-1. Division of natural resources.**

1           (a) The legislative rule filed in the state register on  
2 the first day of August, one thousand nine hundred  
3 ninety-seven, authorized under the authority of section one-  
4 e, article seven, chapter twenty of this code, modified by  
5 the division of natural resources to meet the objections of  
6 the legislative rule-making review committee and refiled in  
7 the state register on the fourth day of September, one  
8 thousand nine hundred ninety-seven, relating to the  
9 division of natural resources (contracted extraordinary law-  
10 enforcement services, 58 CSR 13), is authorized.

11           (b) The legislative rule filed in the state register on  
12 the fifth day of December, one thousand nine hundred ninety-  
13 seven, authorized under the authority of section seven,  
14 article one, chapter twenty of this code, modified by the  
15 division of natural resources to meet the objections of the  
16 legislative rule-making review committee and refiled in  
17 the state register on the twenty-third day of January,  
18 one thousand nine hundred ninety-eight, relating to the  
19 division of natural resources (falconry, 58 CSR 65), is  
20 authorized.

21           (c) The legislative rule filed in the state register on  
22 the twenty-fifth day of July, one thousand nine hundred  
23 ninety-seven, authorized under the authority of section

1 seven, article one, chapter twenty of this code, modified by  
2 the division of natural resources to meet the objections of  
3 the legislative rule-making review committee and refiled in  
4 the state register on the twenty-eighth day of August, one  
5 thousand nine hundred ninety-seven, relating to the division  
6 of natural resources (general hunting, 58 CSR 49), is  
7 authorized.

8 (d) The legislative rule filed in the state register on  
9 the twenty-fifth day of July, one thousand nine hundred  
10 ninety-seven, authorized under the authority of section  
11 seven, article one, chapter twenty of this code, relating to  
12 the division of natural resources (prohibitions when hunting  
13 and trapping, 58 CSR 47), is authorized.

14 (e) The legislative rule filed in the state register on  
15 the twenty-seventh day of June, one thousand nine hundred  
16 ninety-seven, authorized under the authority of section  
17 seven, article one, chapter twenty of this code, modified by  
18 the division of natural resources to meet the objections of  
19 the legislative rule-making review committee and refiled in  
20 the state register on the second day of December, one  
21 thousand nine hundred ninety-seven, relating to the division  
22 of natural resources (special boating rule for Jennings  
23 Randolph lake, 58 CSR 29), is authorized.

1           (f) The legislative rule filed in the state register on  
2 the twenty-fifth day of July, one thousand nine hundred  
3 ninety-seven, authorized under the authority of section  
4 twenty-three, article seven, chapter twenty of this code,  
5 relating to the division of natural resources (special  
6 boating, 58 CSR 26), is authorized.

7           (g) The legislative rule filed in the state register on  
8 the twenty-fifth day of July, one thousand nine hundred  
9 ninety-seven, authorized under the authority of section  
10 seven, article one, chapter twenty of this code, relating to  
11 the division of natural resources (special fishing, 58 CSR  
12 61), is authorized.

13           (h) The legislative rule filed in the state register on  
14 the twenty-fifth day of July, one thousand nine hundred  
15 ninety-seven, authorized under the authority of section  
16 seven, article one, chapter twenty of this code, modified by  
17 the division of natural resources to meet the objections of  
18 the legislative rule-making review committee and refiled in  
19 the state register on the twenty-eighth day of August, one  
20 thousand nine hundred ninety-seven, relating to the division  
21 of natural resources (special migratory bird hunting, 58 CSR  
22 56), is authorized.

23           (i) The legislative rule filed in the state register on

1 the twenty-fifth day of July, one thousand nine hundred  
2 ninety-seven, authorized under the authority of section  
3 seven, article one, chapter twenty of this code, modified by  
4 the division of natural resources to meet the objections of  
5 the legislative rule-making review committee and refiled in  
6 the state register on the twenty-eighth day of August, one  
7 thousand nine hundred ninety-seven, relating to the division  
8 of natural resources (special waterfowl hunting, 58 CSR 58),  
9 is authorized.

10 (j) The legislative rule filed in the state register on  
11 the thirty-first day of July, one thousand nine hundred  
12 ninety-eight, authorized by section five, article eleven,  
13 chapter twenty, of this code, modified by the division of  
14 natural resources to meet the objections of the legislative  
15 rule-making review committee and refiled in the state  
16 register on the twentieth of November, one thousand nine  
17 hundred ninety-eight, relating to the division of natural  
18 resources (recycling assistance fund grant program, 58 CSR  
19 5), is authorized.

20

21 NOTE: The purpose of this bill is to authorize the  
22 Division of Natural Resources to promulgate a legislative  
23 rule relating to Recycling Assistance Fund Grant Program.

24  
25 Strike-throughs indicate language that would be

1 stricken from the present law, and underscoring indicates  
2 new language that would be added.