

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE DEPARTMENT OF POLLUTION CONTROL
10 AND ECOLOGY WHICH SHALL BE SUPPLEMENTAL AND IN ADDITION TO
11 THOSE FUNDS APPROPRIATED BY ACT 161 OF THE FIRST
12 EXTRAORDINARY SESSION OF 1989, FOR THE FISCAL YEAR ENDING
13 JUNE 30, 1991; AND FOR OTHER PURPOSES."

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

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17 SECTION 1. EXTRA HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is
18 hereby authorized, for the Department of Pollution Control and Ecology -
19 Hazard Waste Permit Program for the 1989-91 biennium, the following maximum
20 number of part-time or temporary employees, to be known as "Extra Help",
21 payable from funds appropriated herein for such purposes: Two (2) temporary
22 or part-time employees, when needed, at rates of pay not to exceed those
23 provided in the Uniform Classification and Compensation Act, or its successor,
24 for the appropriate classification. These two positions are utilized for a
25 specific project and are specifically exempt from the limitations, either by
26 act or regulation, on hours worked.

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28 SECTION 2. APPROPRIATIONS - ASBESTOS CONTROL PROGRAM. There is hereby
29 appropriated, to the Department of Pollution Control and Ecology, to be
30 payable from the Asbestos Control Fund, for personal services of the
31 Department of Pollution Control and Ecology - Asbestos Control Program, for
32 the fiscal year ending June 30, 1991, the following:

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34 ITEM	FISCAL YEAR
35 NO.	1990-91

1	(01)	REGULAR SALARIES	\$ 28,881
2	(02)	PERSONAL SERVICES MATCHING	<u>7,227</u>
3		TOTAL AMOUNT APPROPRIATED	<u>\$ 36,108</u>

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5 SECTION 3. APPROPRIATIONS - FEE ADMINISTRATION. There is hereby
6 appropriated, to the Department of Pollution Control and Ecology - Fee
7 Administration, to be payable from the Arkansas Department of Pollution
8 Control and Ecology Fee Fund, for personal services and operating expenses of
9 the Department of Pollution Control and Ecology - Fee Administration which
10 shall be supplemental and in addition to those funds appropriated in Section
11 14 of Act 161 of the First Extraordinary Session of 1989, for the remainder of
12 the fiscal year ending June 30, 1991, the following:

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14	ITEM		FISCAL YEAR
15	NO.		1990-91
16	(01)	REGULAR SALARIES	\$ 196,217
17	(02)	PERSONAL SERVICES MATCHING	49,054
18	(03)	MAINT. & GEN. OPERATION	
19	(A)	OPER. EXPENSES	\$10,762
20	(B)	CONF. & TRAVEL	0
21	(C)	PROF. FEES	0
22	(D)	CAPITAL OUTLAY	0
23	(E)	DATA PROCESSING	<u>0</u>
24		TOTAL MAINT. & GEN. OPER.	<u>10,762</u>
25		TOTAL AMOUNT APPROPRIATED	<u>\$ 256,033</u>

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27 SECTION 4. APPROPRIATIONS - SOLID WASTE MANAGEMENT AND RECYCLING
28 PROGRAM. There is hereby appropriated, to the Department of Pollution Control
29 and Ecology, to be payable from the Solid Waste Management and Recycling Fund,
30 for personal services and operating expenses of the Department of Pollution
31 Control and Ecology - Solid Waste Management and Recycling Program which shall
32 be supplemental and in addition to those funds appropriated in Section 19 of
33 Act 161 of the First Extraordinary Session of 1989, for the remainder of the
34 fiscal year ending June 30, 1991, the following:

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1 ITEM	FISCAL YEAR
2 NO.	1990-91
3	
4 (01) REGULAR SALARIES	\$ 100,236
5 (02) PERSONAL SERVICES MATCHING	25,059
6 (03) MAINT. & GEN. OPERATION	
7 (A) OPER. EXPENSES	\$ 9,725
8 (B) CONF. & TRAVEL	0
9 (C) PROF. FEES	0
10 (D) CAPITAL OUTLAY	0
11 (E) DATA PROCESSING	<u>0</u>
12 TOTAL MAINT. & OPER.	<u>9,725</u>
13 TOTAL AMOUNT APPROPRIATED	<u>\$ 135,020</u>

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15 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
16 by this Act shall be limited to the appropriation for such agency and funds
17 made available by law for the support of such appropriations; and the
18 restrictions of the State Purchasing Law, the General Accounting and Budgetary
19 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures
20 and Restrictions Act, or their successors, and other fiscal control laws of
21 this State, where applicable, and regulations promulgated by the Department of
22 Finance and Administration, as authorized by law, shall be strictly complied
23 with in disbursement of said funds.

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25 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
26 that any funds disbursed under the authority of the appropriations contained
27 in this Act shall be in compliance with the stated reasons for which this Act
28 was adopted, as evidenced by the Agency Requests, Executive Recommendations
29 and Legislative Recommendations contained in the budget manuals prepared by
30 the Department of Finance and Administration, letters, or summarized oral
31 testimony in the official minutes of the Arkansas Legislative Council or Joint
32 Budget Committee which relate to its passage and adoption.

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34 SECTION 7. CODE. All provisions of this Act of a general and permanent
35 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas

1 Code Revision Commission shall incorporate the same in the Code.

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3 SECTION 8. SEVERABILITY. If any provision of this Act or the application
4 thereof to any person or circumstance is held invalid, such invalidity shall
5 not affect other provisions or applications of the Act which can be given
6 effect without the invalid provision or application, and to this end the
7 provisions of this Act are declared to be severable.

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9 SECTION 9. GENERAL REPEALER. All laws and parts of laws in conflict with
10 this Act are hereby repealed.

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12 SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the
13 Seventy-Eighth General Assembly, that funds provided by the Seventy-Seventh
14 General Assembly for the operations of the Department of Pollution Control and
15 Ecology are, due to unforeseen circumstances, insufficient for the Department
16 of Pollution Control and Ecology to continue to provide essential governmental
17 services; that the provisions of this act will provide the necessary monies
18 for the Department of Pollution Control and Ecology to continue such services;
19 and that a delay in the effective date of this Act could work irreparable harm
20 upon the proper administration and provision of essential governmental
21 programs. Therefore, an emergency is hereby declared to exist and this Act
22 being necessary for the immediate preservation of the public peace, health and
23 safety shall be in full force and effect from and after the date of its
24 passage and approval.

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