

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **First Extraordinary Session, 1992**  
4 **By: Joint Budget Committee**

# A Bill

Call Item 14

**SENATE 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 1130 OF 1991, FOR THE  
12 BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER  
13 PURPOSES."

14  
15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

16  
17 SECTION 1. REGULAR SALARIES. There is hereby established for the  
18 Department of Pollution Control and Ecology for the 1991-93 biennium, the  
19 following maximum number of regular employees which shall be supplemental and  
20 in addition to those positions authorized in Section 1 of Act 1130 of 1991,  
21 whose salaries shall be governed by the provisions of the Uniform  
22 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its  
23 successor, and all laws amendatory thereto. Provided, however, that any  
24 position to which a specific maximum annual salary is set out herein in  
25 dollars, shall be exempt from the provisions of said Uniform Classification  
26 and Compensation Act. All persons occupying positions authorized herein are  
27 hereby governed by the provisions of the Regular Salaries Procedures and  
28 Restrictions Act (Arkansas Code §21-5-101), or its successor.

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				Maximum Annual	
				Maximum	Salary Rate
Item	Class			No. of	Fiscal Years
No.	Code	Title		Employees	1991-92 1992-93
32	(01)	X339	ENGINEER SUPERVISOR	2	GRADE 24
33	(02)	X338	ENGINEER, PE	1	GRADE 22
34	(03)	R462	POL C PRGM COORD SEC MGR	2	GRADE 21

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1 (04) Q061 POL C INSPECTOR 4 GRADE 19  
2 MAX. NO. OF EMPLOYEES 9

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4 SECTION 2. APPROPRIATIONS - FEDERAL. There is hereby appropriated, to  
5 the Department of Pollution Control and Ecology, to be payable from federal  
6 funds as designated by the Chief Fiscal Officer of the State, for operating  
7 expenses of the Department of Pollution Control and Ecology - Federal which  
8 shall be supplemental and in addition to those funds appropriated in Section 6  
9 of Act 1130 of 1991, for the remainder of the biennial period ending June 30,  
10 1993, the following:

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ITEM	FISCAL YEAR	
NO.	1991-92	1992-93
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 85,500	\$113,715
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	<u>85,500</u>	<u>113,715</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 85,500</u>	<u>\$113,715</u>

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23 SECTION 3. APPROPRIATIONS - HAZARDOUS WASTE PERMIT PROGRAM. There is  
24 hereby appropriated, to the Department of Pollution Control and Ecology, to be  
25 payable from the Hazardous Waste Permit Fund, for personal services and  
26 operating expenses of the Department of Pollution Control and Ecology -  
27 Hazardous Waste Permit Program which shall be supplemental and in addition to  
28 those funds appropriated in Section 9 of Act 1130 of 1991, for the remainder  
29 of the biennial period ending June 30, 1993, the following:

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ITEM	FISCAL YEAR	
NO.	1991-92	1992-93
(01) REGULAR SALARIES	\$199,325	\$204,308
(02) PERSONAL SERV. MATCHING	51,824	54,141
(03) OVERTIME	4,500	4,770

1	(04) MAINT. & GEN. OPER.		
2	(A) OPER. EXPENSES	\$ 31,450	\$ 33,337
3	(B) CONF. & TRAVEL	0	0
4	(C) PROF. FEES	0	0
5	(D) CAPITAL OUTLAY	59,700	45,270
6	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
7	TOTAL MAINT. & GEN. OPER.		<u>91,150</u> <u>78,607</u>
8	TOTAL AMOUNT APPROPRIATED		<u>\$346,799</u> <u>\$341,826</u>

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10 SECTION 4. APPROPRIATIONS - MINING RECLAMATION. There is hereby

11 appropriated, to the Department of Pollution Control and Ecology, to be

12 payable from the Mining Reclamation Fund, for contractual services of the

13 Department of Pollution Control and Ecology - Mining Reclamation which shall

14 be supplemental and in addition to those funds appropriated in Section 12 of

15 Act 1130 of 1991, for the remainder of the biennial period ending June 30,

16 1993, the following:

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18	ITEM	FISCAL YEAR	
19	NO.	1991-92	1992-93
20	(01) CONTRACTUAL SERVICES	\$600,000	\$600,000

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22 SECTION 5. APPROPRIATIONS - FEE ADMINISTRATION. There is hereby

23 appropriated, to the Department of Pollution Control and Ecology, to be

24 payable from the Arkansas Department of Pollution Control and Ecology Fee

25 Fund, for personal services and operating expenses of the Department of

26 Pollution Control and Ecology - Fee Administration which shall be supplemental

27 and in addition to those funds appropriated in Section 13 of Act 1130 of 1991,

28 for the remainder of the biennial period ending June 30, 1993, the following:

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29			
30	ITEM	FISCAL YEAR	
31	NO.	1991-92	1992-93
32	(01) REGULAR SALARIES	\$222,505	\$304,090
33	(02) PERSONAL SERV. MATCHING	57,851	80,584
34	(03) MAINT. & GEN. OPER.		
35	(A) OPER. EXPENSES	\$ 93,720	\$ 99,343

1	(B) CONF. & TRAVEL	0	0		
2	(C) PROF. FEES	0	0		
3	(D) CAPITAL OUTLAY	240,300	121,495		
4	(E) DATA PROCESSING	<u>0</u>	<u>0</u>		
5	TOTAL MAINT. & GEN. OPER.			<u>334,020</u>	<u>220,838</u>
6	TOTAL AMOUNT APPROPRIATED			<u>\$614,376</u>	<u>\$605,512</u>

8 SECTION 6. APPROPRIATIONS - SOLID WASTE MANAGEMENT AND RECYCLING.

9 There is hereby appropriated, to the Department of Pollution Control and  
10 Ecology, to be payable from the Solid Waste Management and Recycling Fund, for  
11 recycling grants of the Department of Pollution Control and Ecology - Solid  
12 Waste Management and Recycling Program which shall be supplemental and in  
13 addition to those funds appropriated in Section 18 of Act 1130 of 1991, for  
14 ~~the remainder of the biennial period ending June 30, 1993, the following:~~

16	ITEM	FISCAL YEAR	
17	NO.	1991-92	1992-93
18	(01) RECYCLING GRANTS	<u>\$1,900,000</u>	<u>\$1,900,000</u>

20 SECTION 7. APPROPRIATIONS - WASTE TIRE RECYCLING PROGRAM. There is  
21 hereby appropriated, to the Department of Pollution Control and Ecology, to be  
22 payable from the Waste Tire Grant Fund, for tire recycling grants of the  
23 Department of Pollution Control and Ecology - Waste Tire Recycling Program  
24 which shall be supplemental and in addition to those funds appropriated in  
25 Section 24 of Act 1130 of 1991, for the remainder of the biennial period  
26 ~~ending June 30, 1993, the following:~~

28	ITEM	FISCAL YEAR	
29	NO.	1991-92	1992-93
30	(01) TIRE RECYCLING GRANTS	<u>\$336,000</u>	<u>\$336,000</u>

32 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
33 authorized by this Act shall be limited to the appropriation for such agency  
34 and funds made available by law for the support of such appropriations; and  
35 the restrictions of the State Purchasing Law, the General Accounting and

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
2 Procedures and Restrictions Act, or their successors, and other fiscal control  
3 laws of this State, where applicable, and regulations promulgated by the  
4 Department of Finance and Administration, as authorized by law, shall be  
5 strictly complied with in disbursement of said funds.

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7         SECTION 9. LEGISLATIVE INTENT. It is the intent of the General  
8 Assembly that any funds disbursed under the authority of the appropriations  
9 contained in this Act shall be in compliance with the stated reasons for which  
10 this Act was adopted, as evidenced by the Agency Requests, Executive  
11 Recommendations and Legislative Recommendations contained in the budget  
12 manuals prepared by the Department of Finance and Administration, letters, or  
13 summarized oral testimony in the official minutes of the Arkansas Legislative  
14 Council or Joint Budget Committee which relate to its passage and adoption.

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16         SECTION 10. CODE. All provisions of this Act of a general and  
17 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
18 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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20         SECTION 11. SEVERABILITY. If any provision of this Act or the  
21 application thereof to any person or circumstance is held invalid, such  
22 invalidity shall not affect other provisions or applications of the Act which  
23 can be given effect without the invalid provision or application, and to this  
24 end the provisions of this Act are declared to be severable.

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26         SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict  
27 with this Act are hereby repealed.

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29         SECTION 13. EMERGENCY CLAUSE. It is hereby found and determined by the  
30 Seventy-Eighth General Assembly meeting in First Extraordinary Session, that  
31 funds provided by the Seventy-Eighth General Assembly for the operations of  
32 the Department of Pollution Control and Ecology are, due to unforeseen  
33 circumstances, insufficient for the Department of Pollution Control and  
34 Ecology to continue to provide essential governmental services; that the  
35 provisions of this act will provide the necessary monies for the Department of

1 Pollution Control and Ecology to continue such services; and that a delay in  
2 the effective date of this Act could work irreparable harm upon the proper  
3 administration and provision of essential governmental programs. Therefore,  
4 an emergency is hereby declared to exist and this Act being necessary for the  
5 immediate preservation of the public peace, health and safety shall be in full  
6 force and effect from and after the date of its passage and approval.

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