

*As Engrossed: 3/12/91 3/26/91*

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

# A Bill ACT 1130 OF 1991

## HOUSE BILL 1933

### 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 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1993;  
11 AND FOR OTHER PURPOSES."

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

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

		Maximum Annual			
		Maximum	Salary Rate		
Item	Class	No. of	Fiscal Years		
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>	<del>1991-92</del>	<del>1992-93</del>
31	(1) 9976	POL C DIRECTOR	1	\$ 62,366	\$ 65,484
32	(2) 199Z	POL C DEPUTY DIRECTOR	2	GRADE 26	
33	R038	ATTORNEY SUPERVISOR	1		
34	(3) 586Z	POL CONTROL ADMR MGMT SVCS	1	GRADE 25	
35	592Z	POL C CHIEF MINING DIVISION	1		
36	597Z	POL C CHIEF - TECHNICAL SVCS DIV	1		

1	596Z POL C CHIEF - SOLID WASTE DIVISION	1	
2	594Z POL C CHIEF - AIR DIVISION	1	
3	595Z POL C CHIEF - HAZARDOUS WASTE DIV	1	
4	593Z POL C CHIEF - WATER DIVISION	1	
5	598Z POL C CHIEF - CONST ASST DIVISION	1	
6	R170 ATTORNEY SPECIALIST	4	
7	(4) X339 ENGINEER SUPERVISOR	15	GRADE 24
8	297Z GENERAL BUSINESS MANAGER	1	
9	591Z POLLUTION CONTROL DIVISION CHIEF	5	
10	X328 POL C ASST CHIEF WATER POLLUTION	1	
11	R036 ATTORNEY	1	
12	(5) B012 CHEMIST SUPERVISOR	3	GRADE 23
13	D046 SYSTEMS APPLICATIONS SUPERVISOR	1	
14	B106 GEOLOGY SUPERVISOR	4	
15	(6) X338 ENGINEER, PE	47	GRADE 22
16	909Z PROGRAM SUPPORT MANAGER	8	
17	Q006 POL C PERMIT SUPERVISOR	1	
18	Q020 HAZARDOUS WASTE INSPECTOR SUPV	1	
19	B023 POL C CHIEF ECOLOGIST	2	
20	A032 AGENCY FISCAL MANAGER	1	
21	(7) V080 MGR PURCHASING & PROPERTY MGT	1	GRADE 21
22	B126 WATER USE & RESOURCE SPECIALIST	2	
23	B032 SENIOR GEOLOGIST	5	
24	R462 POL C PROGRAM COORD SECTION MGR	9	
25	R376 POL C ENFORCEMENT ADMINISTRATOR	6	
26	D036 SR PROGRAMMER/ANALYST	2	
27	Q120 POL C INSPECTOR SUPV	3	
28	R488 GRANTS ADMIN SUPV	2	
29	R460 POL C PLANNING SECTION MGR	3	
30	(8) B010 CHEMIST II	13	GRADE 20
31	Q108 POL C HAZARDOUS WASTE INSPECTOR	13	
32	B080 POL C ECOLOGIST II	4	
33	R266 MANAGEMENT PROJECT ANALYST II	3	
34	X314 PC&E AIR COMPLIANCE MONITOR	1	
35	(9) Q061 POL C INSPECTOR	43	GRADE 19

1	R280 PC&E PROGRAM COORDINATOR	16	
2	B030 GEOLOGIST	12	
3	R066 EMERG SVCS OPERATIONS OFFICER	1	
4	R168 GRANTS COORDINATOR II	3	
5	(10) N328 INFORMATION OFFICER II	2	GRADE 18
6	R264 MANAGEMENT PROJECT ANALYST I	7	
7	A111 ACCOUNTANT	2	
8	R134 PLANNING SPECIALIST II	1	
9	D034 PROGRAMMER ANALYST	3	
10	B008 CHEMIST I	1	
11	G028 BUILDING PLANT MAINTENANCE SUPV II	1	
12	(11) R010 ADMINISTRATIVE ASSISTANT II	14	GRADE 17
13	D128 COMPUTER OPERATIONS SPECIALIST	1	
14	R166 GRANTS COORDINATOR I	1	
15	(12) X333 ENGINEER TECHNICIAN	2	GRADE 16
16	(13) K011 ADMIN SUPPORT SUPERVISOR	1	GRADE 15
17	R009 ADMINISTRATIVE ASSISTANT I	8	
18	N311 COMMERCIAL ARTIST I/GRAPHIC ART I	1	
19	(14) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	4	GRADE 14
20	(15) K153 SECRETARY II	22	GRADE 13
21	(16) K039 DOCUMENT EXAMINER II	2	GRADE 12
22	B083 POL C TECHNICIAN	1	
23	(17) K155 SECRETARY I	1	GRADE 11
24	(18) K006 DATA ENTRY SPECIALIST	1	GRADE 10
25	(19) C011 SWITCHBOARD OPERATOR II	1	GRADE 09
26	K065 MAIL OFFICER	<u>1</u>	
27	MAX NO. OF EMPLOYEES	327	

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29 SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the

30 Department of Pollution Control and Ecology - State for the 1991-93 biennium,

31 the following maximum number of part-time or temporary employees, to be known

32 as "Extra Help", payable from funds appropriated herein for such purposes:

33 Ten (10) temporary or part-time employees, when needed, at rates of pay not to

34 exceed those provided in the Uniform Classification and Compensation Act, or

35 its successor, or this act for the appropriate classification.

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SECTION 3. EXTRA HELP - FEDERAL. There is hereby authorized, for the Department of Pollution Control and Ecology - Federal for the 1991-93 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Forty-two (42) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

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SECTION 4. EXTRA HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby authorized, for the Department of Pollution Control and Ecology - Hazardous Waste Permit Program for the 1991-93 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Four (4) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. These four positions are utilized for a specific project and are specifically exempt from the limitations, either by act or regulation, of hours worked.

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SECTION 5. APPROPRIATIONS - STATE. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Department of Pollution Control and Ecology Fund Account, for personal services and operating expenses of the Department of Pollution Control and Ecology - State for the biennial period ending June 30, 1993, the following:

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ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) REGULAR SALARIES	\$ 2,059,262	\$ 2,266,859
(02) EXTRA HELP	31,730	31,730
(03) PERSONAL SERV MATCHING	474,514	527,945
(04) OVERTIME	3,950	3,950
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 419,310	\$ 460,252

1	(B) CONF. & TRAVEL	595	1,595
2	(C) PROF. FEES	37,384	37,384
3	(D) CAPITAL OUTLAY	19,018	7,553
4	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
5	TOTAL MAINT. & GEN. OPER.		<u>476,307</u> <u>506,784</u>
6	TOTAL AMOUNT APPROPRIATED		<u>\$ 3,045,763</u> <u>\$ 3,337,268</u>

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8 SECTION 6. APPROPRIATIONS - FEDERAL. There is hereby appropriated, to

9 the Department of Pollution Control and Ecology, to be payable from federal

10 funds as designated by the Chief Fiscal Officer of the State, for personal

11 services and operating expenses of the Department of Pollution Control and

12 ~~Ecology - Federal for the biennial period ending June 30, 1993, the following.~~

14	ITEM	FISCAL YEARS	
15	NO.	1991-92	1992-93
16	(01) REGULAR SALARIES	\$ 3,855,888	\$ 4,039,115
17	(02) EXTRA HELP	27,050	27,210
18	(03) PERSONAL SERV MATCHING	919,184	969,783
19	(04) OVERTIME	6,395	6,395
20	(05) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSES	\$ 1,308,761	\$ 1,308,888
22	(B) CONF. & TRAVEL	52,962	49,962
23	(C) PROF. FEES	638,233	638,603
24	(D) CAPITAL OUTLAY	475,478	255,157
25	(E) DATA PROCESSING	<u>8,250</u>	<u>8,250</u>
26	TOTAL MAINT. & GEN. OPER.	2,483,684	2,260,860
27	(06) CONTRACTUAL SERVICES	8,000,000	8,000,000
28	(07) DATA PROCESSING RENTAL	<u>36,875</u>	<u>36,875</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 15,329,076</u>	<u>\$ 15,340,238</u>

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31 SECTION 7. APPROPRIATIONS - WASTE WATER LICENSE. There is hereby

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

33 payable from cash funds as defined by Arkansas Code 19-4-801 of the Department

34 of Pollution Control and Ecology, for personal services and operating expenses

35 of the Department of Pollution Control and Ecology - Waste Water License for

1 the biennial period ending June 30, 1993, the following:

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3 ITEM		FISCAL YEARS	
4 NO.		1991-92	1992-93
5 (01)	REGULAR SALARIES	\$ 14,456	\$ 14,820
6 (02)	PERSONAL SERV MATCHING	4,106	4,291
7 (03)	MAINT. & GEN. OPERATION		
8 (A)	OPER. EXPENSES	\$ 14,103	\$ 14,103
9 (B)	CONF. & TRAVEL	239	239
10 (C)	PROF. FEES	14,000	14,000
11 (D)	CAPITAL OUTLAY	2,532	2,532
12 (E)	DATA PROCESSING	<u>0</u>	<u>0</u>
13	TOTAL MAINT. & GEN. OPER.	<u>30,874</u>	<u>30,874</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 49,436</u>	<u>\$ 49,985</u>

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16 SECTION 8. APPROPRIATIONS - LAND RECLAMATION CONTRACTS. There is hereby  
 17 appropriated, to the Department of Pollution Control and Ecology, to be  
 18 payable from the Land Reclamation Fund, for reclamation contracts of the  
 19 ~~Department of Pollution Control and Ecology - Reclamation Contracts for the~~  
 20 biennial period ending June 30, 1993, the following:

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22 ITEM		FISCAL YEARS	
23 NO.		1991-92	1992-93
24 (01)	RECLAMATION CONTRACTS	<u>\$ 150,000</u>	<u>\$ 150,000</u>

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26 SECTION 9. APPROPRIATIONS - HAZARDOUS WASTE PERMIT PROGRAM. There is  
 27 hereby appropriated, to the Department of Pollution Control and Ecology, to be  
 28 payable from the Hazardous Waste Permit Fund, for personal services and  
 29 operating expenses of the Department of Pollution Control and Ecology -  
 30 ~~Hazardous Waste Permit Program for the biennial period ending June 30, 1993,~~  
 31 the following:

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33 ITEM		FISCAL YEARS	
34 NO.		1991-92	1992-93
35 (01)	REGULAR SALARIES	\$ 152,480	\$ 159,945

1	(02)	EXTRA HELP		56,892	57,061
2	(03)	PERSONAL SERV MATCHING		42,709	44,898
3	(04)	OVERTIME		2,768	2,837
4	(05)	MAINT. & GEN. OPERATION			
5	(A)	OPER. EXPENSES	\$ 34,428	\$ 34,428	
6	(B)	CONF. & TRAVEL	2,240	2,240	
7	(C)	PROF. FEES	71,267	71,267	
8	(D)	CAPITAL OUTLAY	970	0	
9	(E)	DATA PROCESSING	<u>0</u>	<u>0</u>	
10		TOTAL MAINT. & GEN. OPER.		<u>108,905</u>	<u>107,935</u>
11		TOTAL AMOUNT APPROPRIATED		<u>\$ 363,754</u>	<u>\$ 372,676</u>

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13 SECTION 10. APPROPRIATIONS - RECLAMATION OF ABANDONED MINES. There is  
 14 hereby appropriated, to the Department of Pollution Control and Ecology, to be  
 15 ~~payable from the Abandoned Mine Reclamation Fund, for contractual services of~~  
 16 the Department of Pollution Control and Ecology - Reclamation of Abandoned  
 17 Mines for the biennial period ending June 30, 1993, the following:

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19	ITEM	FISCAL YEARS	
20	NO.	1991-92	1992-93
21	(01) CONTRACTUAL SERVICES	<u>\$ 6,000,000</u>	<u>\$ 6,000,000</u>

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23 SECTION 11. APPROPRIATIONS - SURFACE COAL MINING. There is hereby  
 24 appropriated, to the Department of Pollution Control and Ecology, to be  
 25 payable from the Surface Coal Mining Operation Fund, for personal services and  
 26 ~~operating expenses of the Department of Pollution Control and Ecology~~  
 27 Surface Coal Mining for the biennial period ending June 30, 1993, the  
 28 following:

29

30	ITEM	FISCAL YEARS	
31	NO.	1991-92	1992-93
32	(01) REGULAR SALARIES	\$ 34,987	\$ 36,758
33	(02) PERSONAL SERV MATCHING	7,757	8,192
34	(03) MAINT. & GEN. OPERATION		
35	(A) OPER. EXPENSES	\$ 20,675	\$ 20,675

1	(B) CONF. & TRAVEL	1,311	1,311
2	(C) PROF. FEES	11,394	11,394
3	(D) CAPITAL OUTLAY	0	0
4	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
5	TOTAL MAINT. & GEN. OPER.		<u>33,380</u> <u>33,380</u>
6	TOTAL AMOUNT APPROPRIATED		<u>\$ 76,124</u> <u>\$ 78,330</u>

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8 ~~SECTION 12. APPROPRIATIONS - MINING RECLAMATION. There is hereby~~

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

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

11 Department of Pollution Control and Ecology - Mining Reclamation for the

12 biennial period ending June 30, 1993, the following:

13			
14	ITEM	FISCAL YEARS	
15	NO.	1991-92	1992-93
16	(01) CONTRACTUAL SERVICES	<u>\$ 1,000,000</u>	<u>\$ 1,000,000</u>

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18 SECTION 13. APPROPRIATIONS - FEE ADMINISTRATION. There is hereby

19 ~~appropriated, to the Department of Pollution Control and Ecology, to be~~

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

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

22 Pollution Control and Ecology - Fee Administration for the biennial period

23 ending June 30, 1993, the following:

24			
25	ITEM	FISCAL YEARS	
26	NO.	1991-92	1992-93
27	(01) REGULAR SALARIES	\$ 1,130,320	\$ 1,177,445
28	(02) PERSONAL SERV MATCHING	269,999	282,209
29	(03) OVERTIME	3,500	3,500
30	(04) MAINT. & GEN. OPERATION		
31	(A) OPER. EXPENSES	\$ 88,621	\$ 90,867
32	(B) CONF. & TRAVEL	17,813	17,813
33	(C) PROF. FEES	28,350	28,350
34	(D) CAPITAL OUTLAY	1,136	760
35	(E) DATA PROCESSING	<u>0</u>	<u>0</u>



1	TOTAL MAINT. & GEN. OPER.	135,920	137,790
2	(05) DATA PROCESSING RENTAL	<u>14,000</u>	<u>14,000</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,553,739</u>	<u>\$ 1,614,944</u>

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~~5 SECTION 14. APPROPRIATIONS - SOLID WASTE PERFORMANCE BONDS PROGRAM.~~

6 There is hereby appropriated, to the Department of Pollution Control and  
 7 Ecology, to be payable from the Solid Waste Performance Bond Fund, for  
 8 contractual services of the Department of Pollution Control and Ecology -  
 9 Solid Waste Performance Bonds Program for the biennial period ending June 30,  
 10 1993, the following:

11			
12	ITEM	FISCAL YEARS	
13	NO.	1991-92	1992-93
14	(01) CONTRACTUAL SERVICES	<u>\$ 500,000</u>	<u>\$ 500,000</u>

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~~16 SECTION 15. APPROPRIATIONS - HAZARDOUS WASTE CLEAN UP. There is hereby~~

17 appropriated, to the Department of Pollution Control and Ecology, to be  
 18 payable from the Hazardous Substance Remedial Action Trust Fund, for personal  
 19 services, operating expenses and contractual services of the Department of  
 20 Pollution Control and Ecology - Hazardous Waste Clean Up for the biennial  
 21 period ending June 30, 1993, the following:

22			
23	ITEM	FISCAL YEARS	
24	NO.	1991-92	1992-93
25	(01) REGULAR SALARIES	\$ 17,524	\$ 17,962
26	(02) PERSONAL SERV MATCHING	4,652	4,849
27	(03) MAINT. & GEN. OPERATION		
28	(A) OPER. EXPENSES	\$ 260	\$ 295
29	(B) CONF. & TRAVEL	0	0
30	(C) PROF. FEES	0	0
31	(D) CAPITAL OUTLAY	475	0
32	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
33	TOTAL MAINT. & GEN. OPER.	735	295
34	(04) CONTRACTUAL SERVICES	<u>2,000,000</u>	<u>2,000,000</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,022,911</u>	<u>\$ 2,023,106</u>

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 2 SECTION 16. APPROPRIATIONS - EMERGENCY RESPONSE PROGRAM. There is  
 3 hereby appropriated, to the Department of Pollution Control and Ecology, to be  
 4 payable from the Emergency Response Fund, for personal services, operating  
 5 expenses and contractual services of the Department of Pollution Control and  
 6 Ecology - Emergency Response Program for the biennial period ending June 30,  
 7 1993, the following:

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9 ITEM		FISCAL YEARS	
10 NO.		1991-92	1992-93
11 (01)	REGULAR SALARIES	\$ 59,392	\$ 61,517
12 (02)	PERSONAL SERV MATCHING	13,631	14,250
13 (03)	MAINT. & GEN. OPERATION		
14	(A) OPER. EXPENSES	\$ 15,000	\$ 15,000
15	(B) CONF. & TRAVEL	0	0
16	(C) PROF. FEES	0	0
17	(D) CAPITAL OUTLAY	105,000	0
18	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
19	TOTAL MAINT. & GEN. OPER.	120,000	15,000
20 (04)	CONTRACTUAL SERVICES	<u>280,000</u>	<u>280,000</u>
21	<del>TOTAL AMOUNT APPROPRIATED</del>	<del>\$ 473,023</del>	<del>\$ 370,767</del>

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23 SECTION 17. APPROPRIATIONS - ASBESTOS CONTROL PROGRAM. There is hereby  
 24 appropriated, to the Department of Pollution Control and Ecology, to be  
 25 payable from the Asbestos Control Fund, for personal services and operating  
 26 expenses of the Department of Pollution Control and Ecology - Asbestos Control  
 27 Program for the biennial period ending June 30, 1993, the following:

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29 ITEM		FISCAL YEARS	
30 NO.		1991-92	1992-93
31 (01)	REGULAR SALARIES	\$ 62,556	\$ 64,120
32 (02)	PERSONAL SERV MATCHING	15,717	16,356
33 (03)	MAINT. & GEN. OPERATION		
34	(A) OPER. EXPENSES	\$ 26,805	\$ 26,805
35	(B) CONF. & TRAVEL	2,325	2,325

1	(C) PROF. FEES	0	0
2	(D) CAPITAL OUTLAY	0	0
3	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
4	TOTAL MAINT. & GEN. OPER.		<u>29,130</u> <u>29,130</u>
5	<del>TOTAL AMOUNT APPROPRIATED</del>		<del>\$ 107,403</del> <del>\$ 109,606</del>

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7 SECTION 18. APPROPRIATIONS - SOLID WASTE MANAGEMENT AND RECYCLING

8 PROGRAM. There is hereby appropriated, to the Department of Pollution Control

9 and Ecology, to be payable from the Solid Waste Management and Recycling Fund,

10 for personal services, operating expenses and recycling grants of the

11 Department of Pollution Control and Ecology - Solid Waste Management and

12 Recycling Program for the biennial period ending June 30, 1993, the following:

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14	ITEM	FISCAL YEARS	
15	NO.	1991-92	1992-93
16	(01) REGULAR SALARIES	\$ 453,515	\$ 551,570
17	(02) PERSONAL SERV MATCHING	111,140	137,586
18	(03) MAINT. & GEN. OPERATION		
19	(A) OPER. EXPENSES	\$ 123,611	\$ 148,633
20	(B) CONF. & TRAVEL	15,987	18,238
21	(C) PROF. FEES	0	0
22	(D) CAPITAL OUTLAY	110,855	83,015
23	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
24	TOTAL MAINT. & GEN. OPER.	250,453	249,886
25	(04) RECYCLING GRANTS	<u>2,750,000</u>	<u>2,750,000</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,565,108</u>	<u>\$ 3,689,042</u>

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28 SECTION 19. APPROPRIATIONS - REGULATED SUBSTANCE STORAGE TANK PROGRAM -

29 SPECIAL REVENUE. There is hereby appropriated, to the Department of Pollution

30 Control and Ecology, to be payable from the Regulated Substance Storage Tank

31 Program Fund, for personal services and operating expenses of the Department

32 of Pollution Control and Ecology - Regulated Substance Storage Tank Program

33 for the biennial period ending June 30, 1993, the following:

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35 ITEM FISCAL YEARS

NO.		1991-92	1992-93
(01)	REGULAR SALARIES	\$ 509,176	\$ 531,424
(02)	PERSONAL SERV MATCHING	122,793	129,266
(03)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSES	\$ 99,203	\$ 100,064
(B)	CONF. & TRAVEL	4,915	5,005
(C)	PROF. FEES	1,960	1,960
(D)	CAPITAL OUTLAY	6,465	3,318
(E)	DATA PROCESSING	<u>0</u>	<u>0</u>
	TOTAL MAINT. & GEN. OPER.	<u>112,543</u>	<u>110,347</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 744,512</u>	<u>\$ 771,037</u>

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SECTION 20. APPROPRIATIONS - PETROLEUM STORAGE TANK TRUST FUND ACT.

There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Petroleum Storage Tank Trust Fund, for operating expenses of the Department of Pollution Control and Ecology - Petroleum Storage Tank Trust Fund Act for the biennial period ending June 30, 1993, the following:

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ITEM		FISCAL YEARS	
NO.		1991-92	1992-93
(01)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSES	\$ 40,000,000	\$ 40,000,000
(B)	CONF. & TRAVEL	0	0
(C)	PROF. FEES	0	0
(D)	CAPITAL OUTLAY	<u>0</u>	<u>0</u>
(E)	DATA PROCESSING	<u>0</u>	<u>0</u>
	TOTAL MAINT. & GEN. OPER.	<u>40,000,000</u>	<u>40,000,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 40,000,000</u>	<u>\$ 40,000,000</u>

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SECTION 21. APPROPRIATIONS - REGULATED STORAGE TANK PROGRAM - FEDERAL.

There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from federal funds as designated by the Chief Fiscal Officer of the State, for contractual services of the Department of Pollution Control and Ecology - Regulated Storage Tank Program - Federal for the

1 biennial period ending June 30, 1993, the following:

3 ITEM	FISCAL YEARS	
	1991-92	1992-93
4 NO.		
5 (01) CONTRACTUAL SERVICES	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>

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7 SECTION 22. APPROPRIATIONS - HAZARDOUS WASTE PERMIT PROGRAM. There is

8 hereby appropriated, to the Department of Pollution Control and Ecology, to be

9 payable from the Hazardous Waste Permit Fund, for personal services and

10 operating expenses of the Department of Pollution Control and Ecology -

11 Hazardous Waste Permit Program for the biennial period ending June 30, 1993,

12 the following:

14 ITEM	FISCAL YEARS	
	1991-92	1992-93
15 NO.		
16 (01) REGULAR SALARIES	\$ 231,092	\$ 241,479
17 (02) PERSONAL SERV MATCHING	54,909	57,840
18 (03) MAINT. & GEN. OPERATION		
19 (A) OPER. EXPENSES	\$ 15,981	\$ 16,446
20 (B) CONF. & TRAVEL	3,360	3,520
21 (C) PROF. FEES	0	0
22 (D) CAPITAL OUTLAY	2,260	0
23 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
24 TOTAL MAINT. & GEN. OPER.	<u>21,601</u>	<u>19,966</u>
25 TOTAL AMOUNT APPROPRIATED	<u>\$ 307,602</u>	<u>\$ 319,285</u>

26

27 ~~SECTION 23. There is hereby appropriated, to the Department of~~

28 ~~Pollution Control and Ecology, to be payable from the Landfill Post-Closure~~

29 ~~Trust Fund, for personal services and operating expenses of the Department of~~

30 ~~Pollution Control and Ecology - Landfill Post-Closure Program for the biennial~~

31 ~~period ending June 30, 1993, the following:~~

32 Item	Fiscal Years	
	1991-92	1992-93
33 No.		
34 (01) REGULAR SALARIES	\$ 57,018	\$ 58,444
35 (02) PERSONAL SERVICES MATCHING	13,193	13,686

1	(03)	MAINT. & GEN. OPERATION		
2	(A)	OPER. EXPENSES	\$ 9,675	\$ 11,610
3	(B)	CONF. & TRAVEL	2,764	2,841
4	(C)	PROF. FEES	0	0
5	(D)	CAPITAL OUTLAY	27,450	7,395
6	(E)	DATA PROCESSING	<u>0</u>	<u>0</u>
7		TOTAL MAINT. & GEN. OPER.		39,889 21,846
8	(04)	CONTRACTUAL SERVICES		<u>5,889,900</u> <u>5,906,024</u>
9		TOTAL AMOUNT APPROPRIATED		<u>\$6,000,000</u> <u>\$6,000,000</u>

10

11 SECTION 24. There is hereby appropriated, to the Department of  
 12 Pollution Control and Ecology, to be payable from the Waste Tire Grant Fund,  
 13 for personal services, operating expenses, and tire recycling grants of the  
 14 Department of Pollution Control and Ecology - Waste Tire Recycling Program for  
 15 the biennial period ending June 30, 1993, the following:

16	Item	Fiscal Years	
17	<u>No.</u>	<u>1991-92</u>	<u>1992-93</u>
18	(01) REGULAR SALARIES	\$ 37,414	\$ 38,349
19	(02) PERSONAL SERVICES MATCHING	9,713	10,119
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSES	\$13,318	\$14,084
22	(B) CONF. & TRAVEL	2,175	1,723
23	(C) PROF. FEES	0	0
24	(D) CAPITAL OUTLAY	2,380	725
25	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
26	TOTAL MAINT. & GEN. OPER.	17,873	16,532
27	(04) TIRE RECYCLING GRANTS	<u>2,535,000</u>	<u>2,535,000</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$2,600,000</u>	<u>\$2,600,000</u>

29

30 SECTION 25. There is hereby appropriated, to the Department of  
 31 Pollution Control and Ecology, to be payable from the Marketing Board Fund,  
 32 for operating expenses of the Department of Pollution Control and Ecology -  
 33 State Marketing Board for Recyclables Program for the biennial period ending  
 34 June 30, 1993, the following:

35	Item	Fiscal Years
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1 <u>No.</u>	<u>1991-92</u>	<u>1992-93</u>
2 (01) MAINT. & GEN. OPERATION		
3 (A) OPER. EXPENSES \$17,180	\$22,663	
4 (B) CONF. & TRAVEL 7,900	8,665	
5 (C) PROF. FEES 25,000	25,000	
6 (D) CAPITAL OUTLAY 0	0	
7 (E) DATA PROCESSING <u>0</u>	<u>0</u>	
8 TOTAL MAINT. & GEN. OPER.	<u>50,080</u>	<u>56,328</u>
9 TOTAL AMOUNT APPROPRIATED	<u>\$ 50,080</u>	<u>\$ 56,328</u>

10

11 SECTION 26. There is hereby appropriated, to the Department of  
 12 Pollution Control and Ecology, to be payable from the Environmental Education  
 13 Fund, for personal services and operating expenses of the Department of  
 14 Pollution Control and Ecology - Environmental Education Program for the  
 15 biennial period ending June 30, 1993, the following:

16 Item	Fiscal Years	
17 <u>No.</u>	<u>1991-92</u>	<u>1992-93</u>
18 (01) REGULAR SALARIES	\$ 100,181	\$ 102,685
19 (02) PERSONAL SERVICES MATCHING	23,926	24,851
20 (03) MAINT. & GEN. OPERATION		
21 (A) OPER. EXPENSES \$ 89,768	\$107,154	
22 (B) CONF. & TRAVEL 4,970	5,850	
23 (C) PROF. FEES 30,000	30,000	
24 (D) CAPITAL OUTLAY 26,155	4,460	
25 (E) DATA PROCESSING <u>0</u>	<u>0</u>	
26 TOTAL MAINT. & GEN. OPER.	<u>150,893</u>	<u>147,464</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$ 275,000</u>	<u>\$ 275,000</u>

28

29 SECTION 27. The Arkansas Department of Pollution Control and Ecology is  
 30 hereby authorized to provide special compensation to certain employees for  
 31 each full pay period (80 hours) worked in a job which requires contact with  
 32 inspection sites or emergency sites or other sites where exposure to  
 33 potentially hazardous substances is possible. State and Federal law and  
 34 statute mandate regulatory inspection to protect the environment and the  
 35 health of the citizens of the State of Arkansas. It is further recognized

1 that many substances which may be encountered are suspected carcinogens and/or  
2 mutagens and may create harmful health effects from either short-term or  
3 long-term exposure.

4 This special pay is to compensate the employees for the increased risk  
5 of personal injury.

6 Rate of pay will be five and one half percent (5-1/2%) above regular  
7 authorized pay or rate of pay. Payment will be controlled through personnel  
8 actions by Administrative Services, Personnel Section. Rate of pay for  
9 individuals who work less than a full pay period (80 hours) and/or transfer to  
10 other work areas not defined above will revert to their regular authorized  
11 rate of pay for that and subsequent pay periods. This covers employees who  
12 may be exposed to potentially hazardous substances during the daily  
13 performance of their job duties.

14 Eligible classifications are restricted to:

- 15 Pollution Control Inspector II
- 16 Pollution Control Haz. Wst. Inspector
- 17 Pollution Control Inspector Supervisor
- 18 *Hazardous Waste Inspector Supervisor*

19  
20 SECTION 28. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
21 authorized by this Act shall be limited to the appropriation for such agency  
22 and funds made available by law for the support of such appropriations; and  
23 the restrictions of the State Purchasing Law, the General Accounting and  
24 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
25 Procedures and Restrictions Act, or their successors, and other fiscal control  
26 laws of this State, where applicable, and regulations promulgated by the  
27 Department of Finance and Administration, as authorized by law, shall be  
28 strictly complied with in disbursement of said funds.

29  
30 SECTION 29. LEGISLATIVE INTENT. It is the intent of the General  
31 Assembly that any funds disbursed under the authority of the appropriations  
32 contained in this Act shall be in compliance with the stated reasons for which  
33 this Act was adopted, as evidenced by the Agency Requests, Executive  
34 Recommendations and Legislative Recommendations contained in the budget  
35 manuals prepared by the Department of Finance and Administration, letters, or



1 summarized oral testimony in the official minutes of the Arkansas Legislative  
2 Council or Joint Budget Committee which relate to its passage and adoption.

3

4 SECTION 30. CODE. All provisions of this Act of a general and  
5 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
6 the Arkansas Code Revision Commission shall incorporate the same in the Code.

7

8 SECTION 31. SEVERABILITY. If any provision of this Act or the  
9 application thereof to any person or circumstance is held invalid, such  
10 invalidity shall not affect other provisions or applications of the Act which  
11 can be given effect without the invalid provision or application, and to this  
12 end the provisions of this Act are declared to be severable.

13

14 SECTION 32. GENERAL REPEALER. All laws and parts of laws in conflict  
15 with this Act are hereby repealed.

16

17 SECTION 33. HEALTH PREMIUMS. The Department of Pollution Control and  
18 Ecology shall not, during the 1992-93 fiscal year, spend more for health  
19 insurance per employee than the amount being contributed to the State  
20 Employees Health Insurance Program.

21

22 SECTION 34. EMERGENCY CLAUSE. It is hereby found and determined by the  
23 Seventy-Eighth General Assembly, that the Constitution of the State of  
24 Arkansas prohibits the appropriation of funds for more than a two (2) year  
25 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
26 operation of the agency for which the appropriations in this Act are provided,  
27 and that in the event of an extension of the Regular Session, the delay in the  
28 effective date of this Act beyond July 1, 1991 could work irreparable harm  
29 upon the proper administration and provision of essential governmental  
30 programs. Therefore, an emergency is hereby declared to exist and this Act  
31 being necessary for the immediate preservation of the public peace, health and  
32 safety shall be in full force and effect from and after July 1, 1991.

33

*/s/ John E. Miller*

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APPROVED: 4/9/91

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