

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

Call Item 14
A Bill ACT 20 OF 1992

SENATE BILL 28

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:

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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.

			Maximum Annual	
			Maximum	Salary Rate
Item	Class		No. of	Fiscal Years
No.	Code	Title	Employees	1991-92 1992-93
33	(01)	X339 ENGINEER SUPERVISOR	2	GRADE 24
34	(02)	X338 ENGINEER, PE	1	GRADE 22
35	(03)	R462 POL C PRGM COORD SEC MGR	2	GRADE 21
36	(04)	Q061 POL C INSPECTOR	<u>4</u>	GRADE 19

1 MAX. NO. OF EMPLOYEES 9

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

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

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

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30 ITEM	FISCAL YEAR	
31 NO.	1991-92	1992-93
32 (01) REGULAR SALARIES	\$199,325	\$204,308
33 (02) PERSONAL SERV. MATCHING	51,824	54,141
34 (03) OVERTIME	4,500	4,770
35 (04) MAINT. & GEN. OPER.		

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

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

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

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

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

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

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

15 1993, the following:

17	<u>ITEM</u>	<u>FISCAL YEAR</u>	
18	NO.	1991-92	1992-93
19	(01) CONTRACTUAL SERVICES	\$600,000	\$600,000

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

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

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

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

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

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

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

29	<u>ITEM</u>	<u>FISCAL YEAR</u>	
30	NO.	1991-92	1992-93
31	(01) REGULAR SALARIES	\$222,505	\$304,090
32	(02) PERSONAL SERV. MATCHING	57,851	80,584
33	(03) MAINT. & GEN. OPER.		
34	(A) OPER. EXPENSES	\$ 93,720	\$ 99,343
35	(B) CONF. & TRAVEL	0	0

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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APPROVED: 3-4-92

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