

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Joint Budget Committee**

A Bill

ACT 1191 OF 1995
HOUSE BILL 1418

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, 1997;
11 AND FOR OTHER PURPOSES."

Subtitle

14 "AN ACT FOR THE DEPARTMENT OF POLLUTION
15 CONTROL AND ECOLOGY APPROPRIATION FOR
16 THE 1995-97 BIENNIUM."

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

20 SECTION 1. REGULAR SALARIES. There is hereby established for the
21 Department of Pollution Control and Ecology for the 1995-97 biennium, the
22 following maximum number of regular employees whose salaries shall be governed
23 by the provisions of the Uniform Classification and Compensation Act (Arkansas
24 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
25 Provided, however, that any position to which a specific maximum annual salary
26 is set out herein in dollars, shall be exempt from the provisions of said
27 Uniform Classification and Compensation Act. All persons occupying positions
28 authorized herein are hereby governed by the provisions of the Regular
29 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
30 successor.

Item	Class	No. of	Maximum	Maximum Annual
		Employees	Salary Rate	Fiscal Years
No.	Code	Title	Employees	1995-96 1996-97
36	(1)	9976 POL C DIRECTOR	1	\$ 78,500 \$ 80,698

1	(2)	POL C DEP DIR - LAND RESOURCES	1	\$ 61,448	\$ 63,169
2	(3)	POL C DEP DIR - WATER & AIR RESOURCES	1	60,000	61,680
3	(4)	POL C DEP DIR - ENVIRON RESOURCES	1	55,000	56,540
4	(5)	R038 ATTORNEY SUPERVISOR	1		GRADE 26
5		593Z CHIEF WATER MANAGEMENT	1		
6		594Z POL C CHIEF - AIR DIVISION	1		
7	(3)	586Z POL C ADMINISTRATOR MANAGEMENT SVCS	1		GRADE 25
8		592Z POL C CHIEF MINING DIVISION	1		
9		597Z POL C CHIEF - TECHNICAL SVCS DIV	1		
10		595Z POL C CHIEF - HAZARDOUS WASTE DIV	1		
11		596Z POL C CHIEF - SOLID WASTE DIVISION	1		
12		598Z POL C CHIEF - CONST ASST DIVISION	1		
13		R170 ATTORNEY SPECIALIST	5		
14	(4)	591Z POL C DIVISION CHIEF	6		GRADE 24
15		X339 ENGINEER SUPERVISOR	16		
16		X328 POL C ASST CHIEF WATER POLLUTION	1		
17		297Z GENERAL BUSINESS MANAGER	1		
18		903Z TECHNICAL ASSISTANCE MANAGER	5		
19		R036 ATTORNEY	3		
20	(5)	D046 SYSTEMS APPLICATIONS SUPERVISOR	1		GRADE 23
21		B012 CHEMIST SUPERVISOR	3		
22		B106 GEOLOGY SUPERVISOR	4		
23	(6)	909Z PROGRAM SUPPORT MANAGER	12		GRADE 22
24		X338 ENGINEER, PE	61		
25		Q020 HAZARDOUS WASTE INSPECTOR SUPV	2		
26		Q006 POL C PERMIT SUPERVISOR	1		
27		B023 POL C CHIEF ECOLOGIST	1		
28	(7)	R488 GRANTS ADMIN SUPV	3		GRADE 21
29		R376 POL C ENFORCEMENT ADMINISTRATOR	11		
30		D036 SR PROGRAMMER/ANALYST	2		
31		Q120 POL C INSPECTOR SUPV	7		
32		R462 POL C PROGRAM COORD SECTION MGR	10		
33		B032 SR GEOLOGIST	8		
34		X341 ENGINEER II	21		
35		R460 POL C PLANNING SECTION MGR	3		

1	V012 PURCHASING MANAGER	1	
2	B126 WATER USE & RESOURCE SPECIALIST	1	
3	(8) B080 POL C ECOLOGIST II	10	GRADE 20
4	B010 CHEMIST II	11	
5	X314 PC&E AIR COMPLIANCE MONITOR	1	
6	Q108 POL C HAZARDOUS WASTE INSPECTOR	12	
7	R266 MANAGEMENT PROJECT ANALYST II	3	
8	(9) R168 GRANTS COORDINATOR II	4	GRADE 19
9	B030 GEOLOGIST	13	
10	R280 PC&E PROGRAM COORDINATOR	17	
11	Q061 POL C INSPECTOR	68	
12	R066 EMERG SVCS OPERATIONS OFFICER	1	
13	D132 SYSTEMS COORDINATION ANALYST I	1	
14	(10) N328 INFORMATION OFFICER II	3	GRADE 18
15	A111 ACCOUNTANT	2	
16	D034 PROGRAMMER ANALYST	4	
17	R264 MANAGEMENT PROJECT ANALYST I	8	
18	D129 DATA PROCESSING COORDINATOR	1	
19	R204 PARALEGAL/LEGAL ASSISTANT	1	
20	D128 P C SUPPORT SPECIALIST	2	
21	(11) R010 ADMINISTRATIVE ASSISTANT II	25	GRADE 17
22	B078 POL C ECOLOGIST I	3	
23	(12) X333 ENGINEER TECHNICIAN	2	GRADE 16
24	R132 PLANNING SPECIALIST I	1	
25	(13) R009 ADMINISTRATIVE ASSISTANT I	13	GRADE 15
26	A063 PAYROLL OFFICER	1	
27	N311 COMMERCIAL ARTIST I/GRAPHIC ART I	1	
28	(14) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	4	GRADE 14
29	N327 INFORMATION OFFICER I	1	
30	K117 MEDICAL OR LEGAL SECRETARY	2	
31	(15) K153 SECRETARY II	33	GRADE 13
32	(16) K039 DOCUMENT EXAMINER II	2	GRADE 12
33	(17) K155 SECRETARY I	2	GRADE 11
34	(18) K006 DATA ENTRY SPECIALIST	<u>2</u>	GRADE 10
35	MAX NO. OF EMPLOYEES	456	

1

2 SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the
3 Department of Pollution Control and Ecology - State for the 1995-97 biennium,
4 the following maximum number of part-time or temporary employees, to be known
5 as "Extra Help", payable from funds appropriated herein for such purposes: ten
6 (10) temporary or part-time employees, when needed, at rates of pay not to
7 exceed those provided in the Uniform Classification and Compensation Act, or
8 its successor, or this act for the appropriate classification.

9

10 SECTION 3. EXTRA HELP - FEDERAL. There is hereby authorized, for
11 the Department of Pollution Control and Ecology - Federal for the 1995-97
12 biennium, the following maximum number of part-time or temporary employees, to
13 be known as "Extra Help", payable from funds appropriated herein for such
14 purposes: twenty-five (25) temporary or part-time employees, when needed, at
15 rates of pay not to exceed those provided in the Uniform Classification and
16 Compensation Act, or its successor, or this act for the appropriate
17 classification.

18

19 SECTION 4. EXTRA HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is
20 hereby authorized, for the Department of Pollution Control and Ecology -
21 Hazardous Waste Permit Program for the 1995-97 biennium, the following maximum
22 number of part-time or temporary employees, to be known as "Extra Help",
23 payable from funds appropriated herein for such purposes: Four (4) temporary
24 or part-time employees, when needed, at rates of pay not to exceed those
25 provided in the Uniform Classification and Compensation Act, or its successor,
26 for the appropriate classification. These four positions are utilized for a
27 specific project and are specifically exempt from the limitations, either by
28 act or regulation, of hours worked.

29

30 SECTION 5. EXTRA HELP - FEE ADMINISTRATION. There is hereby
31 authorized, for the Department of Pollution Control and Ecology - Fee
32 Administration for the 1995-97 biennium, the following maximum number of
33 part-time or temporary employees, to be known as "Extra Help", payable from
34 funds appropriated herein for such purposes: ten (10) temporary or part-time
35 employees, when needed, at rates of pay not to exceed those provided in the

1 Uniform Classification and Compensation Act, or its successor, or this act for
2 the appropriate classification.

3

4 SECTION 6. EXTRA HELP - POLLUTION CONTROL AND ECOLOGY COMMISSION -
5 ADMINISTRATIVE HEARING OFFICER. There is hereby authorized, for the
6 Pollution Control and Ecology Commission - Administrative Hearing Officer for
7 the 1995-97 biennium, the following maximum number of part-time or temporary
8 employees, to be known as "Extra Help", payable from funds appropriated herein
9 for such purposes: one (1) temporary or part-time employees, when needed, at
10 rates of pay not to exceed those provided in the Uniform Classification and
11 Compensation Act, or its successor, or this act for the appropriate
12 classification.

13

14 SECTION 7. APPROPRIATIONS - STATE. There is hereby appropriated, to the
15 Department of Pollution Control and Ecology, to be payable from the Department
16 of Pollution Control and Ecology Fund Account, for personal services and
17 operating expenses of the Department of Pollution Control and Ecology - State
18 ~~for the biennial period ending June 30, 1997, the following:~~

19

20 ITEM		FISCAL YEARS	
21 NO.		1995-96	1996-97
22 (01)	REGULAR SALARIES	\$ 2,012,683	\$ 2,013,237
23 (02)	EXTRA HELP	22,674	22,674
24 (03)	PERSONAL SERV MATCHING	514,808	514,907
25 (04)	MAINT. & GEN. OPERATION		
26	(A) OPER. EXPENSE	\$ 473,211	\$ 474,296
27	(B) CONF. & TRVL.	3,885	3,885
28	(C) PROF. FEES	17,500	17,500
29	(D) CAP. OUTLAY	12,068	1,560
30	(E) DATA PROC.	<u>0</u>	<u>0</u>
31	TOTAL MAINT. & GEN. OPER.	<u>506,664</u>	<u>497,241</u>
32	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,056,829</u>	<u>\$ 3,048,059</u>

33

34 SECTION 8. APPROPRIATIONS - FEDERAL. There is hereby appropriated, to
35 the Department of Pollution Control and Ecology, to be payable from the

1 federal funds as designated by the Chief Fiscal Officer of the State, for
2 ~~personal services and operating expenses of the Department of Pollution~~
3 Control and Ecology - Federal for the biennial period ending June 30, 1997,
4 the following:

6 ITEM		FISCAL YEARS	
7 NO.		1995-96	1996-97
8 (01)	REGULAR SALARIES	\$ 3,177,089	\$ 3,221,121
9 (02)	EXTRA HELP	33,850	34,110
10 (03)	PERSONAL SERV MATCHING	870,615	881,726
11 (04)	MAINT. & GEN. OPERATION		
12	(A) OPER. EXPENSE	\$ 1,362,876	\$ 1,356,031
13	(B) CONF. & TRVL.	45,210	45,210
14	(C) PROF. FEES	332,757	336,682
15	(D) CAP. OUTLAY	173,710	52,688
16	(E) DATA PROC.	<u>0</u>	<u>0</u>
17	TOTAL MAINT. & GEN. OPER.	1,914,553	1,790,611
18 (05)	CONTRACTUAL SERVICES	5,600,000	5,600,000
19 (06)	DATA PROCESSING RENTAL	<u>12,875</u>	<u>12,875</u>
20	TOTAL AMOUNT APPROPRIATED	<u>\$ 11,608,982</u>	<u>\$ 11,540,443</u>

21
22 SECTION 9. APPROPRIATIONS - WASTE WATER LICENSE. There is hereby
23 appropriated, to the Department of Pollution Control and Ecology, to be
24 payable from cash funds as defined by Arkansas Code 19-4-801 of the Department
25 ~~of Pollution Control and Ecology, for personal services and operating expenses~~
26 of the Department of Pollution Control and Ecology - Waste Water License for
27 the biennial period ending June 30, 1997, the following:

29 ITEM		FISCAL YEARS	
30 NO.		1995-96	1996-97
31 (01)	REGULAR SALARIES	\$ 19,104	\$ 19,104
32 (02)	PERSONAL SERV MATCHING	6,035	6,035
33 (03)	MAINT. & GEN. OPERATION		
34	(A) OPER. EXPENSE	\$ 19,345	\$ 14,880
35	(B) CONF. & TRVL.	239	239

1	(C) PROF. FEES	17,450	16,300
2	(D) CAP. OUTLAY	0	0
3	(E) DATA PROC.	<u>0</u>	<u>0</u>
4	TOTAL MAINT. & GEN. OPER.		<u>37,034</u> <u>31,419</u>
5	TOTAL AMOUNT APPROPRIATED		<u>\$ 62,173</u> <u>\$ 56,558</u>

6
7 SECTION 10. APPROPRIATIONS - LAND RECLAMATION CONTRACTS. There is
8 ~~hereby appropriated, to the Department of Pollution Control and Ecology, to be~~
9 payable from the Land Reclamation Fund, for reclamation contracts of the
10 Department of Pollution Control and Ecology - Reclamation Contracts for the
11 biennial period ending June 30, 1997, the following:

12			
13	ITEM	FISCAL YEARS	
14	NO.	1995-96	1996-97
15	(01) RECLAMATION CONTRACTS	<u>\$ 950,000</u>	<u>\$ 950,000</u>

16
17 SECTION 11. APPROPRIATIONS - HAZARDOUS WASTE PERMIT PROGRAM. There is
18 hereby appropriated, to the Department of Pollution Control and Ecology, to be
19 ~~payable from the Hazardous Waste Permit Fund, for personal services and~~
20 operating expenses of the Department of Pollution Control and Ecology -
21 Hazardous Waste Permit Program for the biennial period ending June 30, 1997,
22 the following:

23			
24	ITEM	FISCAL YEARS	
25	NO.	1995-96	1996-97
26	(01) REGULAR SALARIES	\$ 535,114	\$ 644,929
27	(02) EXTRA HELP	15,795	15,795
28	(03) PERSONAL SERV MATCHING	156,394	192,341
29	(04) OVERTIME	1,250	1,250
30	(05) MAINT. & GEN. OPERATION		
31	(A) OPER. EXPENSE \$	131,626	\$ 131,626
32	(B) CONF. & TRVL.	2,240	2,240
33	(C) PROF. FEES	230,489	230,489
34	(D) CAP. OUTLAY	45,011	37,570
35	(E) DATA PROC.	<u>0</u>	<u>0</u>

1	TOTAL MAINT. & GEN. OPER.	<u>409,366</u>	<u>401,925</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,117,919</u>	<u>\$ 1,256,240</u>

3

4 ~~SECTION 12. APPROPRIATIONS - RECLAMATION OF ABANDONED MINES. There is~~
 5 hereby appropriated, to the Department of Pollution Control and Ecology, to be
 6 payable from the Abandoned Mine Reclamation Fund, for contractual services of
 7 the Department of Pollution Control and Ecology - Reclamation of Abandoned
 8 Mines for the biennial period ending June 30, 1997, the following:

9

10	ITEM	FISCAL YEARS	
11	NO.	1995-96	1996-97
12	(01) CONTRACTUAL SERVICES	<u>\$ 5,700,000</u>	<u>\$ 5,700,000</u>

13

14 ~~SECTION 13. APPROPRIATIONS - SURFACE COAL MINING. There is hereby~~
 15 appropriated, to the Department of Pollution Control and Ecology, to be
 16 payable from the Surface Coal Mining Operation Fund, for operating expenses of
 17 the Department of Pollution Control and Ecology - Surface Coal Mining for the
 18 biennial period ending June 30, 1997, the following:

19

20	ITEM	FISCAL YEARS	
21	NO.	1995-96	1996-97
22	(01) MAINT. & GEN. OPERATION		
23	(A) OPER. EXPENSE \$	5,738 \$	5,738
24	(B) CONF. & TRVL.	0	0
25	(C) PROF. FEES	0	0
26	(D) CAP. OUTLAY	0	0
27	(E) DATA PROC.	<u>0</u>	<u>0</u>
28	TOTAL MAINT. & GEN. OPER.	<u>5,738</u>	<u>5,738</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,738</u>	<u>\$ 5,738</u>

30

31 SECTION 14. APPROPRIATIONS - MINING RECLAMATION. There is hereby
 32 appropriated, to the Department of Pollution Control and Ecology, to be
 33 payable from the Mining Reclamation Fund, for contractual services of the
 34 Department of Pollution Control and Ecology - Mining Reclamation for the
 35 biennial period ending June 30, 1997, the following:

1

ITEM NO.	FISCAL YEARS	
	1995-96	1996-97
(01) CONTRACTUAL SERVICES	<u>\$ 1,520,000</u>	<u>\$ 1,520,000</u>

5

6 ~~SECTION 15. APPROPRIATIONS - FEE ADMINISTRATION. There is hereby~~
7 appropriated, to the Department of Pollution Control and Ecology, to be
8 payable from the Arkansas Department of Pollution Control and Ecology Fee
9 Fund, for personal services and operating expenses of the Department of
10 Pollution Control and Ecology - Fee Administration for the biennial period
11 ending June 30, 1997, the following:

12

ITEM NO.	FISCAL YEARS	
	1995-96	1996-97
(01) REGULAR SALARIES	\$ 5,345,345	\$ 5,367,446
(02) EXTRA HELP	10,000	10,000
(03) PERSONAL SERV MATCHING	1,494,881	1,498,936
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 763,436	\$ 765,467
(B) CONF. & TRVL.	25,213	25,213
(C) PROF. FEES	58,332	58,332
(D) CAP. OUTLAY	267,998	46,221
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	1,114,979	895,233
(05) DATA PROCESSING RENTAL	<u>3,500</u>	<u>3,500</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 7,968,705</u>	<u>\$ 7,775,115</u>

27

28 SECTION 16. APPROPRIATIONS - SOLID WASTE PERFORMANCE BONDS PROGRAM.
29 There is hereby appropriated, to the Department of Pollution Control and
30 Ecology, to be payable from the Solid Waste Performance Bond Fund, for
31 ~~contractual services of the Department of Pollution Control and Ecology~~
32 Solid Waste Performance Bonds Program for the biennial period ending June 30,
33 1997, the following:

34

ITEM	FISCAL YEARS	
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1	NO.		1995-96	1996-97
2	(01) CONTRACTUAL SERVICES	\$	500,000	\$ 500,000

3

4 SECTION 17. APPROPRIATIONS - HAZARDOUS WASTE CLEAN UP. There is hereby
5 appropriated, to the Department of Pollution Control and Ecology, to be
6 payable from the Hazardous Substance Remedial Action Trust Fund, for personal
7 services, operating expenses and contractual services of the Department of
8 Pollution Control and Ecology - Hazardous Waste Clean Up for the biennial
9 period ending June 30, 1997, the following:

10

11	ITEM	FISCAL YEARS		
12	NO.		1995-96	1996-97
13	(01) REGULAR SALARIES	\$	84,550	\$ 84,550
14	(02) PERSONAL SERV MATCHING		25,582	25,582
15	(03) MAINT. & GEN. OPERATION			
16	(A) OPER. EXPENSE	\$	12,558	\$ 12,558
17	(B) CONF. & TRVL.		0	0
18	(C) PROF. FEES		652,854	652,854
19	(D) CAP. OUTLAY		429,232	245,036
20	(E) DATA PROC.		0	0
21	TOTAL MAINT. & GEN. OPER.		1,094,644	910,448
22	(04) CONTRACTUAL SERVICES		6,000,000	6,500,000
23	TOTAL AMOUNT APPROPRIATED	\$	7,204,776	\$ 7,520,580

24

25 SECTION 18. APPROPRIATIONS - EMERGENCY RESPONSE PROGRAM. There is
26 hereby appropriated, to the Department of Pollution Control and Ecology, to be
27 payable from the Emergency Response Fund, for personal services, operating
28 ~~expenses and contractual services of the Department of Pollution Control and~~
29 Ecology - Emergency Response Program for the biennial period ending June 30,
30 1997, the following:

31

32	ITEM	FISCAL YEARS		
33	NO.		1995-96	1996-97
34	(01) REGULAR SALARIES	\$	72,748	\$ 72,748
35	(02) PERSONAL SERV MATCHING		18,178	18,178

1	(03)	MAINT. & GEN. OPERATION		
2		(A) OPER. EXPENSE	\$ 15,000	\$ 15,000
3		(B) CONF. & TRVL.	0	0
4		(C) PROF. FEES	0	0
5		(D) CAP. OUTLAY	0	0
6		(E) DATA PROC.	<u>0</u>	<u>0</u>
7		TOTAL MAINT. & GEN. OPER.	<u>15,000</u>	<u>15,000</u>
8	(04)	CONTRACTUAL SERVICES	<u>374,655</u>	<u>374,655</u>
9		TOTAL AMOUNT APPROPRIATED	<u>\$ 480,581</u>	<u>\$ 480,581</u>

10

11 SECTION 19. APPROPRIATIONS - ASBESTOS CONTROL PROGRAM. There is hereby
 12 appropriated, to the Department of Pollution Control and Ecology, to be
 13 payable from the Asbestos Control Fund, for personal services and operating
 14 expenses of the Department of Pollution Control and Ecology - Asbestos Control
 15 Program for the biennial period ending June 30, 1997, the following:

16

17	ITEM		FISCAL YEARS	
18	NO.		1995-96	1996-97
19	(01)	REGULAR SALARIES	\$ 84,545	\$ 84,545
20	(02)	PERSONAL SERV MATCHING	22,917	22,917
21	(03)	MAINT. & GEN. OPERATION		
22		(A) OPER. EXPENSE	\$ 20,728	\$ 20,728
23		(B) CONF. & TRVL.	2,325	2,325
24		(C) PROF. FEES	0	0
25		(D) CAP. OUTLAY	0	0
26		(E) DATA PROC.	<u>0</u>	<u>0</u>
27		TOTAL MAINT. & GEN. OPER.	<u>23,053</u>	<u>23,053</u>
28		TOTAL AMOUNT APPROPRIATED	<u>\$ 130,515</u>	<u>\$ 130,515</u>

29

30 SECTION 20. APPROPRIATIONS - SOLID WASTE MANAGEMENT AND RECYCLING
 31 PROGRAM. There is hereby appropriated, to the Department of Pollution Control
 32 and Ecology, to be payable from the Solid Waste Management and Recycling Fund,
 33 for personal services, operating expenses and recycling grants of the
 34 Department of Pollution Control and Ecology - Solid Waste Management and
 35 Recycling Program for the biennial period ending June 30, 1997, the following:

1				
2	ITEM		FISCAL YEARS	
3	NO.		1995-96	1996-97
4	(01) REGULAR SALARIES	\$	516,993	\$ 516,993
5	(02) PERSONAL SERV MATCHING		141,864	141,864
6	(03) MAINT. & GEN. OPERATION			
7	(A) OPER. EXPENSE	\$ 69,205	\$ 69,205	
8	(B) CONF. & TRVL.	5,133	5,133	
9	(C) PROF. FEES	42,000	44,000	
10	(D) CAP. OUTLAY	8,146	8,146	
11	(E) DATA PROC.	<u>0</u>	<u>0</u>	
12	TOTAL MAINT. & GEN. OPER.		124,484	126,484
13	(04) RECYCLING GRANTS		<u>4,650,000</u>	<u>4,650,000</u>
14	TOTAL AMOUNT APPROPRIATED		<u>\$ 5,433,341</u>	<u>\$ 5,435,341</u>

15

16 SECTION 21. APPROPRIATIONS - REGULATED SUBSTANCE STORAGE TANK PROGRAM -

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

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

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

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

21 for the biennial period ending June 30, 1997, the following:

22				
23	ITEM		FISCAL YEARS	
24	NO.		1995-96	1996-97
25	(01) REGULAR SALARIES	\$	594,027	\$ 594,027
26	(02) PERSONAL SERV MATCHING		163,452	163,452
27	(03) MAINT. & GEN. OPERATION			
28	(A) OPER. EXPENSE	\$ 117,546	\$ 117,546	
29	(B) CONF. & TRVL.	5,005	5,005	
30	(C) PROF. FEES	640	640	
31	(D) CAP. OUTLAY	15,300	12,190	
32	(E) DATA PROC.	<u>0</u>	<u>0</u>	
33	TOTAL MAINT. & GEN. OPER.		<u>138,491</u>	<u>135,381</u>
34	TOTAL AMOUNT APPROPRIATED		<u>\$ 895,970</u>	<u>\$ 892,860</u>

35

1 SECTION 22. APPROPRIATIONS - PETROLEUM STORAGE TANK TRUST FUND ACT.
 2 There is hereby appropriated, to the Department of Pollution Control and
 3 Ecology, to be payable from the Petroleum Storage Tank Trust Fund, for
 4 operating expenses of the Department of Pollution Control and Ecology -
 5 Petroleum Storage Tank Trust Fund Act for the biennial period ending June 30,
 6 1997, the following:

8 ITEM	FISCAL YEARS	
9 NO.	1995-96	1996-97
10 (01) MAINT. & GEN. OPERATION		
11 (A) OPER. EXPENSE \$ 25,000,000 \$ 25,000,000		
12 (B) CONF. & TRVL. 0 0		
13 (C) PROF. FEES 0 0		
14 (D) CAP. OUTLAY 0 0		
15 (E) DATA PROC. 0 0		
16 TOTAL MAINT. & GEN. OPER.	<u>25,000,000</u>	<u>25,000,000</u>
17 TOTAL AMOUNT APPROPRIATED	<u>\$ 25,000,000</u>	<u>\$ 25,000,000</u>

18
 19 SECTION 23. APPROPRIATIONS - REGULATED STORAGE TANK PROGRAM - FEDERAL.
 20 There is hereby appropriated, to the Department of Pollution Control and
 21 Ecology, to be payable from the federal funds as designated by the Chief
 22 Fiscal Officer of the State, for contractual services of the Department of
 23 Pollution Control and Ecology - Regulated Storage Tank Program - Federal for
 24 the biennial period ending June 30, 1997, the following:

26 ITEM	FISCAL YEARS	
27 NO.	1995-96	1996-97
28 (01) CONTRACTUAL SERVICES	<u>\$ 5,000,000</u>	<u>\$ 5,000,000</u>

29
 30 SECTION 24. APPROPRIATIONS - HAZARDOUS WASTE MANAGEMENT PROGRAM. There
 31 is hereby appropriated, to the Department of Pollution Control and Ecology, to
 32 ~~be payable from the Hazardous Waste Permit Fund, for personal services and~~
 33 operating expenses of the Department of Pollution Control and Ecology -
 34 Hazardous Waste Management Program for the biennial period ending June 30,
 35 1997, the following:

1				
2	ITEM		FISCAL YEARS	
3	NO.		1995-96	1996-97
4	(01) REGULAR SALARIES	\$	147,789	\$ 147,789
5	(02) PERSONAL SERV MATCHING		39,407	39,407
6	(03) MAINT. & GEN. OPERATION			
7	(A) OPER. EXPENSE	\$ 16,446	\$ 16,446	
8	(B) CONF. & TRVL.	3,520	3,520	
9	(C) PROF. FEES	0	0	
10	(D) CAP. OUTLAY	0	0	
11	(E) DATA PROC.	0	0	
12	TOTAL MAINT. & GEN. OPER.		<u>19,966</u>	<u>19,966</u>
13	TOTAL AMOUNT APPROPRIATED		<u>\$ 207,162</u>	<u>\$ 207,162</u>

14

15 SECTION 25. APPROPRIATIONS - LANDFILL POST-CLOSURE PROGRAM. There is

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

17 payable from the Landfill Post-Closure Trust Fund, for personal services,

18 operating expenses and contractual services of the Department of Pollution

19 Control and Ecology - Landfill Post-Closure Program for the biennial period

20 ending June 30, 1997, the following:

21				
22	ITEM		FISCAL YEARS	
23	NO.		1995-96	1996-97
24	(01) REGULAR SALARIES	\$	24,996	\$ 24,996
25	(02) PERSONAL SERV MATCHING		7,077	7,077
26	(03) MAINT. & GEN. OPERATION			
27	(A) OPER. EXPENSE	\$ 11,610	\$ 11,610	
28	(B) CONF. & TRVL.	2,841	2,841	
29	(C) PROF. FEES	0	0	
30	(D) CAP. OUTLAY	2,000	1,041	
31	(E) DATA PROC.	0	0	
32	TOTAL MAINT. & GEN. OPER.		16,451	15,492
33	(04) CONTRACTUAL SERVICES		<u>7,500,000</u>	<u>9,000,000</u>
34	TOTAL AMOUNT APPROPRIATED		<u>\$ 7,548,524</u>	<u>\$ 9,047,565</u>

35

1 SECTION 26. APPROPRIATIONS - WASTE TIRE RECYCLING PROGRAM. There is
2 hereby appropriated, to the Department of Pollution Control and Ecology,
3 to be payable from the Waste Tire Grant Fund, for tire recycling grants of the
4 ~~Department of Pollution Control and Ecology - Waste Tire Recycling Program for~~
5 the biennial period ending June 30, 1997, the following:

6

7 ITEM	FISCAL YEARS	
8 NO.	1995-96	1996-97
9 (01) TIRE RECYCLING GRANTS	<u>\$ 5,371,000</u>	<u>\$ 5,371,000</u>

10

11 SECTION 27. APPROPRIATIONS - STATE MARKETING BOARD FOR RECYCLABLES
12 PROGRAM. There is hereby appropriated, to the Department of Pollution Control
13 and Ecology, to be payable from the Marketing Board Fund, for operating
14 expenses of the Department of Pollution Control and Ecology - State Marketing
15 Board for Recyclables Program for the biennial period ending June 30, 1997,
16 the following:

17

18 ITEM	FISCAL YEARS	
19 NO.	1995-96	1996-97
20 (01) MAINT. & GEN. OPERATION		
21 (A) OPER. EXPENSE \$	19,846 \$	19,846
22 (B) CONF. & TRVL.	8,665	8,665
23 (C) PROF. FEES	40,000	42,000
24 (D) CAP. OUTLAY	0	0
25 (E) DATA PROC.	<u>0</u>	<u>0</u>
26 TOTAL MAINT. & GEN. OPER.	<u>68,511</u>	<u>70,511</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$ 68,511</u>	<u>\$ 70,511</u>

28

29 ~~SECTION 28. APPROPRIATIONS - ENVIRONMENTAL EDUCATION PROGRAM. There is~~
30 hereby appropriated, to the Department of Pollution Control and Ecology, to be
31 payable from the Environmental Education Fund, for personal services and
32 operating expenses of the Department of Pollution Control and Ecology -
33 Environmental Education Program for the biennial period ending June 30, 1997,
34 the following:

35

1 ITEM		FISCAL YEARS	
2 NO.		1995-96	1996-97
3 (01)	REGULAR SALARIES	\$ 41,070	\$ 41,070
4 (02)	PERSONAL SERV MATCHING	12,579	12,579
5 (03)	MAINT. & GEN. OPERATION		
6	(A) OPER. EXPENSE	\$ 73,833	\$ 73,833
7	(B) CONF. & TRVL.	3,000	3,000
8	(C) PROF. FEES	55,450	55,450
9	(D) CAP. OUTLAY	0	0
10	(E) DATA PROC.	<u>0</u>	<u>0</u>
11	TOTAL MAINT. & GEN. OPER.	<u>132,283</u>	<u>132,283</u>
12	TOTAL AMOUNT APPROPRIATED	<u>\$ 185,932</u>	<u>\$ 185,932</u>

13

14 ~~SECTION 29. REGULAR SALARIES - POLLUTION CONTROL AND ECOLOGY COMMISSION~~

15 - ADMINISTRATIVE HEARING OFFICER. There is hereby established for the
16 Pollution Control and Ecology Commission for the 1995-97 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.

26

		Maximum Annual			
		Maximum	Salary Rate		
29 Item	Class	No. of	Fiscal Years		
30 No.	Code	Title	Employees	1995-96	1996-97
31 (1)	R007	POL C COMM ADMIN HEARING OFFICER	1	GRADE 26	
32 (2)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
33 (3)	K117	MEDICAL OR LEGAL SECRETARY	<u>1</u>	GRADE 14	
34		MAX NO. OF EMPLOYEES	3		

35

1 SECTION 30. APPROPRIATIONS - POLLUTION CONTROL AND ECOLOGY COMMISSION -
2 ADMINISTRATIVE HEARING OFFICER. There is hereby appropriated, to the
3 Pollution Control and Ecology Commission, to be payable from the Arkansas
4 Department of Pollution Control and Ecology Fee Fund, for personal services
5 and operating expenses of the Pollution Control and Ecology Commission for the
6 biennial period ending June 30, 1997, the following:

7

8 ITEM	FISCAL YEARS	
9 NO.	1995-96	1996-97
10 (01) REGULAR SALARIES	\$ 95,096	\$ 95,476
11 (02) EXTRA HELP	1,500	2,000
12 (03) PERSONAL SERVICES MATCHING	25,535	25,640
13 (04) MAINT. & GEN. OPERATION	<hr/>	
14 (A) OPER. EXPENSE	\$ 21,702	\$ 18,667
15 (B) CONF. & TRVL.	8,275	8,475
16 (C) PROF. FEES	27,500	38,000
17 (D) CAP. OUTLAY	5,443	398
18 (E) DATA PROC.	<u>0</u>	<u>0</u>
19 TOTAL MAINT. & GEN. OPER.	<u>62,920</u>	<u>65,540</u>
20 TOTAL AMOUNT APPROPRIATED	<u>\$ 185,051</u>	<u>\$ 188,656</u>

21

22 SECTION 31. APPROPRIATIONS - MERCURY TASK FORCE. There is hereby
23 appropriated, to the Department of Pollution Control and Ecology, to be
24 payable from the State General Services Fund Account, for operating expenses
25 and a transfer to the Arkansas Department of Health of the Department of
26 Pollution Control and Ecology - Mercury Task Force Program for the biennial
27 period ending June 30, 1997, the following:

28

29 ITEM	FISCAL YEARS	
30 NO.	1995-96	1996-97
31 (01) MAINT. & GEN. OPERATION		
32 (A) OPER. EXPENSE	\$ 30,247	\$ 30,247
33 (B) CONF. & TRVL.	0	0
34 (C) PROF. FEES	181,354	181,354
35 (D) CAP. OUTLAY	0	0

1	(E) DATA PROC.	<u>0</u>	<u>0</u>
2	TOTAL MAINT. & GEN. OPER.	211,601	211,601
3	(02) TRANSFER TO HEALTH DEPT.	<u>\$ 65,000</u>	<u>\$ 65,000</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 276,601</u>	<u>\$ 276,601</u>

5
6 SECTION 32. APPROPRIATIONS - REVOLVING LOAN FUND - STATE MATCH. There
7 is hereby appropriated, to the Department of Pollution Control and Ecology, to
8 be payable from the State General Services Fund Account, for the revolving
9 loan fund state match of the Department of Pollution Control and Ecology -
10 Revolving Loan Fund - State Match for the biennial period ending June 30,
11 1997, the following:

12			
13	ITEM	FISCAL YEARS	
14	NO.	1995-96	1996-97
15	(01) REVOLVING LOAN FUND STATE MATCH	<u>\$ 3,500,000</u>	<u>\$ 4,700,000</u>

16
17 SECTION 33. The Arkansas Department of Pollution Control and Ecology is
18 hereby authorized to provide special compensation to certain employees for
19 each full pay period (80 hours) worked in a job which requires contact with
20 inspection sites or emergency sites or other sites where exposure to
21 potentially hazardous substances is possible. State and Federal law and
22 statute mandate regulatory inspection to protect the environment and the
23 health of the citizens of the State of Arkansas. It is further recognized
24 that many substances which may be encountered are suspected carcinogens and/or
25 mutagens and may create harmful health effects from either short-term or
26 long-term exposure.

27
28 This special pay is to compensate the employees for the increased risk of
29 personal injury.

30
31 Rate of pay will be five and one half percent (5-1/2%) above regular
32 ~~authorized pay or rate of pay. Payment will be controlled through personnel~~
33 actions by Administrative Services, Personnel Section. Rate of pay for
34 individuals who work less than a full pay period (80 hours) and/or transfer to
35 other work areas not defined above will not receive any enhanced rate of pay

1 for that or subsequent pay periods. This covers employees who may be exposed
2 to potentially hazardous substances during the daily performance of their job
3 duties.

4

5 Eligible classifications are restricted to:

6

7 Pollution Control Inspector II

8 Pollution Control Haz. Wst. Inspector

9 Pollution Control Inspector Supervisor

10 Hazardous Waste Inspector Supervisor

11

12 A monthly report shall be made to the Arkansas Legislative Council describing
13 all payments made to employees under the provisions of this section.

14

15 SECTION 34. There is hereby established a pool of twenty-three (23)
16 positions in the title of X338 Engineer, PE, grade 22. In the event that any
17 employee of the Department occupying the classification of X341 Engineer II,
18 grade 21 attains certification and registration through the Arkansas Board of
19 Registration for Engineers and Land Surveyors during the 1995-97 biennium, the
20 Department may, after submitting verifying documentation and receiving the
21 approval of the Chief Fiscal Officer of the State, surrender the Engineer II
22 title for that of Engineer, PE, grade 22. It is the intent of this section
23 that the employee shall be eligible for movement to the Engineer, PE
24 classification on the basis of a promotion and shall be eligible for any
25 compensation adjustments provided for by law as a result. All promotions
26 executed under the provisions of this section shall be submitted for prior
27 review by the Legislative Council, and all positions surrendered shall remain
28 unused for the remainder of the biennium.

29

30 SECTION 35. The Department of Pollution Control and Ecology is hereby
31 authorized to enter into agreements or contracts with the Arkansas Game and
32 Fish Commission or other entities as necessary to implement the
33 recommendations of the Mercury Task Force.

34

35 SECTION 36. (a) The Pollution Control and Ecology Commission (the

1 Commission) shall employ a full time administrative hearing officer to perform
2 such functions and duties as the Commission shall direct and in particular to
3 advise the Commission on matters of law and procedure that may arise during
4 the conduct of Commission duties and responsibilities as outlined in Ark. Code
5 §8-1-203, §8-4-201, §8-4-202, §8-4-311, §8-5-205, §8-6-207 or as otherwise
6 provided by law.

7 (b) The administrative hearing officer shall be selected and hired by the
8 Commission and shall be independent of and not an employee of the Department
9 of Pollution Control and Ecology (the Department).

10 (c) Subject to such rules and regulations as may be implemented by the Chief
11 Fiscal Officer of the State, and after having sought the approval of the Chief
12 Fiscal Officer, and prior review by the Arkansas Legislative Council, the
13 Pollution Control and Ecology Commission may transfer appropriation from
14 Maintenance and General Operations from the appropriation provided to the
15 Department for Fee Administration payable from the Arkansas Department of
16 Pollution Control and Ecology Fee Fund to the Maintenance and General
17 Operations appropriation provided for the Commission's Hearing Officer.

18 (d) The office space for the hearing officer shall be at a location other
19 than the offices of the Department of Pollution Control and Ecology.

20 (e) The Administrative Assistant II shall be supervised by and provide
21 assistance to the administrative hearing officer authorized herein.

22 (f) The Disbursing Officer of the Department of Pollution Control and Ecology
23 shall disburse the funds appropriated for the Commission's hearing officer.

24

25 *SECTION 37. APPROPRIATIONS - POLLUTION CONTROL AND ECOLOGY COMMISSION -*
26 *EXPENSES. There is hereby appropriated, to the Pollution Control and Ecology*
27 *Commission, to be payable from the State General Services Fund Account, for*
28 *use in the educational and training expenses of the Pollution Control and*
29 *Ecology Commission for the biennial period ending June 30, 1997, the*
30 *following:*

31

<i>ITEM</i>	<i>FISCAL YEARS</i>	
<u><i>NO.</i></u>	<u><i>1995-96</i></u>	<u><i>1996-97</i></u>
<i>(01) COMMISSION EDUCATIONAL/TRAINING EXPENSES</i>	<u><i>\$ 10,000</i></u>	<u><i>\$ 10,000</i></u>

35

1

2 SECTION 38. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
3 authorized by this Act shall be limited to the appropriation for such agency
4 and funds made available by law for the support of such appropriations; and
5 the restrictions of the State Purchasing Law, the General Accounting and
6 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
7 Procedures and Restrictions Act, or their successors, and other fiscal control
8 laws of this State, where applicable, and regulations promulgated by the
9 Department of Finance and Administration, as authorized by law, shall be
10 strictly complied with in disbursement of said funds.

11

12 SECTION 39. LEGISLATIVE INTENT. It is the intent of the General
13 Assembly that any funds disbursed under the authority of the appropriations
14 contained in this Act shall be in compliance with the stated reasons for which
15 this Act was adopted, as evidenced by the Agency Requests, Executive
16 Recommendations and Legislative Recommendations contained in the budget
17 manuals prepared by the Department of Finance and Administration, letters, or
18 summarized oral testimony in the official minutes of the Arkansas Legislative
19 Council or Joint Budget Committee which relate to its passage and adoption.

20

21 SECTION 40. (a) *For purposes of this section "motor vehicle" means*
22 *every motor vehicle defined by Ark. Code 8-9-402.*

23 (b) *Due to the noise, air pollution and traffic congestion caused by*
24 *motor vehicle racing facilities, no motor vehicle racing facility may be*
25 *constructed in this state after passage of this act without the consent of at*
26 *least seventy-five percent (75%) of the property owners and seventy-five*
27 *percent (75%) of the adult residents within three (3) miles of the outside*
28 *boundary of the proposed facility. Such consent shall be accomplished by*
29 *signing petitions which shall be filed with the city clerk if the facility is*
30 *to be located within the boundaries of any city or town or with the county*
31 *clerk if the facility is to be located wholly or partially outside the*
32 *boundaries of any city or town. The petitions shall indicate the name,*
33 *residence address, or if a non-resident property owner, the address or legal*
34 *description of the property located within the three (3) mile area, and the*
35 *date of the signature. The petitions must be verified pursuant to Ark. Code*

1 7-9-109. Signatures shall become invalid sixty (60) days after signing.

2 (c) It shall be the duty of the county clerk or city clerk, as the case
3 may be, to determine the sufficiency of the signatures.

4

5 SECTION 41. CODE. All provisions of this Act of a general and
6 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
7 Arkansas Code Revision Commission shall incorporate the same in the Code.

8

9 SECTION 42. SEVERABILITY. If any provision of this Act or the
10 application thereof to any person or circumstance is held invalid, such
11 invalidity shall not affect other provisions or applications of the Act which
12 can be given effect without the invalid provision or application, and to this
13 end the provisions of this Act are declared to be severable.

14

15 SECTION 43. GENERAL REPEALER. All laws and parts of laws in conflict
16 with this Act are hereby repealed.

17

18 SECTION 44. EMERGENCY CLAUSE. It is hereby found and determined by the
19 Eightieth General Assembly, that the Constitution of the State of Arkansas
20 prohibits the appropriation of funds for more than a two (2) year period; that
21 the effectiveness of this Act on July 1, 1995 is essential to the operation of
22 the agency for which the appropriations in this Act are provided, and that in
23 the event of an extension of the Regular Session, the delay in the effective
24 date of this Act beyond July 1, 1995 could work irreparable harm upon the
25 proper administration and provision of essential governmental programs.
26 Therefore, an emergency is hereby declared to exist and this Act being
27 necessary for the immediate preservation of the public peace, health and
28 safety shall be in full force and effect from and after July 1, 1995.

29

/s/Rep. E. Thicksten

30

31

APPROVED: 4-11-95

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