

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: H4/7/99 S4/9/99*

# A Bill

Act 1464 of 1999  
HOUSE BILL 1554

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF  
11 ENVIRONMENTAL QUALITY FOR THE BIENNIAL PERIOD ENDING  
12 JUNE 30, 2001; AND FOR OTHER PURPOSES."

## Subtitle

15 "AN ACT FOR THE ARKANSAS DEPARTMENT  
16 OF ENVIRONMENTAL QUALITY APPROPRIATION  
17 FOR THE 1999-2001 BIENNIUM."  
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES - DEPARTMENT OF ENVIRONMENTAL QUALITY. There  
23 is hereby established for the Arkansas Department of Environmental Quality for  
24 the 1999-2001 biennium, the following maximum number of regular employees  
25 whose salaries shall be governed by the provisions of the Uniform  
26 Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its  
27 successor, and all laws amendatory thereto. Provided, however, that any  
28 position to which a specific maximum annual salary is set out herein in  
29 dollars, shall be exempt from the provisions of said Uniform Classification  
30 and Compensation Act. All persons occupying positions authorized herein are  
31 hereby governed by the provisions of the Regular Salaries Procedures and  
32 Restrictions Act (Arkansas Code §21-5-101), or its successor.  
33

		Maximum Annual
	Maximum	Salary Rate
36 Item Class	No. of	Fiscal Years

\*PLR078\*

	No.	Code	Title	Employees	1999-2000	2000-2001
1						
2	(1)	9976	POL C DIRECTOR	1	\$91,506	\$94,068
3	(2)	8709	POL C DEP DIR - LAND RESOURCES	1	\$71,628	\$73,633
4	(3)	8710	POL C DEP DIR - WATER & AIR RESOURC	1	\$69,942	\$71,900
5	(4)	8711	POL C DEP DIR - ENVIRON RESOURCES	1	\$64,112	\$65,907
6	(5)	R038	ATTORNEY SUPERVISOR	1	GRADE 26	
7	(6)	593Z	CHIEF WATER MANAGEMENT	1	GRADE 26	
8	(7)	594Z	POL C CHIEF AIR DIVISION	1	GRADE 26	
9	(8)	R170	ATTORNEY SPECIALIST	5	GRADE 25	
10	(9)	586Z	POL C ADMINISTRATOR MANAGEMENT SVCS	1	GRADE 25	
11	(10)	598Z	POL C CHIEF CONST ASST DIVISION	1	GRADE 25	
12	(11)	595Z	POL C CHIEF HAZARDOUS WASTE DIV	1	GRADE 25	
13	(12)	592Z	POL C CHIEF MINING DIVISION	1	GRADE 25	
14	(13)	596Z	POL C CHIEF SOLID WASTE DIVISION	1	GRADE 25	
15	(14)	597Z	POL C CHIEF TECHNICAL SVCS DIV	1	GRADE 25	
16	(15)	R036	ATTORNEY	3	GRADE 24	
17	(16)	X339	ENGINEER SUPERVISOR	16	GRADE 24	
18	(17)	297Z	GENERAL BUSINESS MANAGER	1	GRADE 24	
19	(18)	X328	POL C ASST CHIEF WATER POLLUTION	1	GRADE 24	
20	(19)	591Z	POL C DIVISION CHIEF	7	GRADE 24	
21	(20)	903Z	TECHNICAL ASSISTANCE MANAGER	7	GRADE 24	
22	(21)	D080	APPLICATIONS & SYSTEMS MANAGER	1	GRADE 23	
23	(22)	B012	CHEMIST SUPERVISOR	3	GRADE 23	
24	(23)	B106	GEOLOGY SUPERVISOR	3	GRADE 23	
25	(24)	Q020	HAZARDOUS WASTE INSPECTOR SUPV	2	GRADE 23	
26	(25)	D046	SYSTEMS APPLICATIONS SUPERVISOR	1	GRADE 23	
27	(26)	X338	ENGINEER, PE	52	GRADE 22	
28	(27)	D124	LEAD PROGRAMMER/ANALYST	2	GRADE 22	
29	(28)	B023	POL C CHIEF ECOLOGIST	1	GRADE 22	
30	(29)	Q120	POL C INSPECTOR SUPV	7	GRADE 22	
31	(30)	Q006	POL C PERMIT SUPERVISOR	1	GRADE 22	
32	(31)	B014	PROFESSIONAL GEOLOGIST	13	GRADE 22	
33	(32)	909Z	PROGRAM SUPPORT MANAGER	16	GRADE 22	
34	(33)	R298	AGENCY PROGRAM COORDINATOR	2	GRADE 21	
35	(34)	X341	ENGINEER II	13	GRADE 21	
36	(35)	R488	GRANTS ADMIN SUPV	1	GRADE 21	

1	(36)	R376	POL C ENFORCEMENT ADMINISTRATOR	9	GRADE 21
2	(37)	Q108	POL C HAZARDOUS WASTE INSPECTOR	11	GRADE 21
3	(38)	R460	POL C PLANNING SECTION MGR	3	GRADE 21
4	(39)	R462	POL C PROGRAM COORD SECTION MGR	9	GRADE 21
5	(40)	B032	SR GEOLOGIST	3	GRADE 21
6	(41)	D036	SR PROGRAMMER/ANALYST	4	GRADE 21
7	(42)	B126	WATER USE & RESOURCE SPECIALIST	1	GRADE 21
8	(43)	B010	CHEMIST II	10	GRADE 20
9	(44)	R266	MANAGEMENT PROJECT ANALYST II	7	GRADE 20
10	(45)	X314	POL C AIR COMPLIANCE MONITOR	1	GRADE 20
11	(46)	B080	POL C ECOLOGIST II	9	GRADE 20
12	(47)	Q061	POL C INSPECTOR	52	GRADE 20
13	(48)	D121	USER SUPPORT ANALYST	1	GRADE 20
14	(49)	R066	EMERG SVCS OPERATIONS OFFICER	1	GRADE 19
15	(50)	R168	GRANTS COORDINATOR II	1	GRADE 19
16	(51)	R280	POL C PROGRAM COORDINATOR	17	GRADE 19
17	(52)	D132	SYSTEMS COORDINATION ANALYST I	1	GRADE 19
18	(53)	A111	ACCOUNTANT	1	GRADE 18
19	(54)	N328	INFORMATION OFFICER II	3	GRADE 18
20	(55)	R264	MANAGEMENT PROJECT ANALYST I	3	GRADE 18
21	(56)	D128	P C SUPPORT SPECIALIST	1	GRADE 18
22	(57)	R204	PARALEGAL/LEGAL ASSISTANT	1	GRADE 18
23	(58)	R134	PLANNING SPECIALIST II	1	GRADE 18
24	(59)	R010	ADMINISTRATIVE ASSISTANT II	32	GRADE 17
25	(60)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	1	GRADE 17
26	(61)	B078	POL C ECOLOGIST I	1	GRADE 17
27	(62)	X333	ENGINEER TECHNICIAN	1	GRADE 16
28	(63)	R009	ADMINISTRATIVE ASSISTANT I	3	GRADE 15
29	(64)	N311	COMMERCIAL ARTIST I/GRAPHIC ART I	1	GRADE 15
30	(65)	A063	PAYROLL OFFICER	1	GRADE 15
31	(66)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	4	GRADE 14
32	(67)	N327	INFORMATION OFFICER I	1	GRADE 14
33	(68)	K117	MEDICAL OR LEGAL SECRETARY	2	GRADE 14
34	(69)	K153	SECRETARY II	26	GRADE 13
35	(70)	K039	DOCUMENT EXAMINER II	1	GRADE 12
36	(71)	K006	DATA ENTRY SPECIALIST	<u>1</u>	GRADE 10

MAX. NO. OF EMPLOYEES

396

SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the Arkansas Department of Environmental Quality for the 1999-2001 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: ten (10) 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.

SECTION 3. EXTRA HELP - FEDERAL. There is hereby authorized, for the Arkansas Department of Environmental Quality for the 1999-2001 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: twenty six (26) 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.

SECTION 4. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby authorized, for the ~~Department of Pollution Control and Ecology~~ Arkansas Department of Environmental Quality - Hazardous Waste Permit Program for the ~~1997-1999~~ 1999-2001 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.

SECTION 5. EXTRA HELP - FEE ADMINISTRATION. There is hereby authorized, for the Arkansas Department of Environmental Quality - Fee Administration for the 1999-2001 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: ten (10) temporary or part-time employees, when needed, at

1 rates of pay not to exceed those provided in the Uni form Cl assi fi ca tion and  
 2 Com pen sa tion Act, or its suc cess or, or this act for the ap pro pri ate  
 3 cl as si fi ca tion.

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 5 SECTION 6. EXTRA HELP - ADMINISTRATIVE HEARING OFFICER. There is hereby  
 6 authorized, for the Arkansas Department of Environmental Quality -  
 7 Administrative Hearing Officer for the 1999-2001 biennium, the following  
 8 maximum number of part-time or temporary employees, to be known as "Extra  
 9 Help", payable from funds appropriated herein for such purposes: one (1)  
 10 temporary or part-time employees, when needed, at rates of pay not to exceed  
 11 those provided in the Uni form Cl assi fi ca tion and Com pen sa tion Act, or its  
 12 suc cess or, or this act for the ap pro pri ate cl as si fi ca tion.

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 14 SECTION 7. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,  
 15 to the Arkansas Department of Environmental Quality - State, to be payable  
 16 from the Department of Pollution Control and Ecology Fund Account, for  
 17 personal services and operating expenses of the Arkansas Department of  
 18 Environmental Quality for the biennial period ending June 30, 2001, the  
 19 fol low ing:

20

21 ITEM	22 FISCAL YEARS	
NO.	1999-2000	2000-2001
23 (01) REGULAR SALARIES	\$ 2,555,100	\$ 2,626,646
24 (02) EXTRA HELP	25,674	25,674
25 (03) PERSONAL SERV MATCHING	656,067	668,901
26 (04) MAINT. & GEN. OPERATION		
27 (A) OPER. EXPENSE	617,032	616,216
28 (B) CONF. & TRAVEL	5,485	5,485
29 (C) PROF. FEES	17,500	17,500
30 (D) CAP. OUTLAY	15,300	8,400
31 (E) DATA PROC.	<u>0</u>	<u>0</u>
32 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,892,158</u>	<u>\$ 3,968,822</u>

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 34 SECTION 8. APPROPRIATION - FEDERAL. There is hereby appropriated, to the  
 35 Arkansas Department of Environmental Quality - Federal, to be payable from the  
 36 federal funds as designated by the Chief Fiscal Officer of the State, for

1 personal services and operating expenses of the Arkansas Department of  
 2 Environmental Quality for the biennial period ending June 30, 2001, the  
 3 following:

5	ITEM	FISCAL YEARS	
6	NO.	1999-2000	2000-2001
7	(01) REGULAR SALARIES	\$ 3,688,404	\$ 3,791,679
8	(02) EXTRA HELP	143,585	148,585
9	(03) PERSONAL SERV MATCHING	1,000,160	1,019,077
10	(04) MAINT. & GEN. OPERATION		
11	(A) OPER. EXPENSE	1,982,391	1,976,268
12	(B) CONF. & TRAVEL	94,859	94,812
13	(C) PROF. FEES	754,601	754,963
14	(D) CAP. OUTLAY	395,895	365,330
15	(E) DATA PROC.	0	0
16	(05) CONTRACTUAL SERVICES	<u>5,600,000</u>	<u>5,600,000</u>
17	TOTAL AMOUNT APPROPRIATED	<u>\$ 13,659,895</u>	<u>\$ 13,750,714</u>

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19 SECTION 9. APPROPRIATION - WASTE WATER LICENSING. There is hereby  
 20 appropriated, to the Arkansas Department of Environmental Quality, to be  
 21 payable from the Wastewater Licensing Fund, for personal services and  
 22 operating expenses of the Arkansas Department of Environmental Quality- Waste  
 23 Water Licensing Program for the biennial period ending June 30, 2001, the  
 24 following:

25

26	ITEM	FISCAL YEARS	
27	NO.	1999-2000	2000-2001
28	(01) REGULAR SALARIES	\$ 25,291	\$ 25,999
29	(02) PERSONAL SERV MATCHING	7,768	7,895
30	(03) MAINT. & GEN. OPERATION		
31	(A) OPER. EXPENSE	16,632	16,632
32	(B) CONF. & TRAVEL	2,289	2,289
33	(C) PROF. FEES	0	0
34	(D) CAP. OUTLAY	14,000	14,000
35	(E) DATA PROC.	<u>0</u>	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u>\$ 65,980</u>	<u>\$ 66,815</u>

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SECTION 10. APPROPRIATION - LAND RECLAMATION. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Land Reclamation Fund, for land reclamation contracts of the Arkansas Department of Environmental Quality for the biennial period ending June 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) LAND RECLAMATION CONTRACTS	\$ <u>950,000</u>	\$ <u>950,000</u>

SECTION 11. APPROPRIATION - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Hazardous Waste Permit Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Hazardous Waste Permit Program for the biennial period ending June 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 652,654	\$ 670,927
(02) EXTRA HELP	15,795	15,795
(03) PERSONAL SERV MATCHING	167,007	170,286
(04) OVERTIME	1,250	1,250
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	184,626	185,626
(B) CONF. & TRAVEL	5,240	5,240
(C) PROF. FEES	175,642	175,642
(D) CAP. OUTLAY	25,935	15,080
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>1,228,149</u>	\$ <u>1,239,846</u>

SECTION 12. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Abandoned Mine Reclamation Fund, for contractual services of the Department of Pollution Control and Ecology - Reclamation of Abandoned

1 Mines for the biennial period ending June 30, 2001, the following:

2

3 ITEM	4 FISCAL YEARS	
	5 NO.	6
(01) ABANDONED MINE RECLAMATION CONTRACTUAL	1999-2000	2000-2001
SERVICES	\$ <u>5,700,000</u>	\$ <u>5,700,000</u>

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8 SECTION 13. APPROPRIATION - SURFACE COAL MINING. There is hereby  
 9 appropriated, to the Arkansas Department of Environmental Quality, to be  
 10 payable from the Surface Coal Mining Operation Fund, for operating expenses of  
 11 the Arkansas Department of Environmental Quality - Surface Coal Mining for the  
 12 biennial period ending June 30, 2001, the following:

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14 ITEM	15 FISCAL YEARS	
	16 NO.	17
(01) MAINT. & GEN. OPERATION	1999-2000	2000-2001
(A) OPER. EXPENSE	5,653	5,653
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>5,653</u>	\$ <u>5,653</u>

23

24 SECTION 14. APPROPRIATION - MINING RECLAMATION. There is hereby  
 25 appropriated, to the Arkansas Department of Environmental Quality, to be  
 26 payable from the Mine Reclamation Trust Fund, for contractual services of the  
 27 Department of Pollution Control and Ecology - Mining Reclamation program for  
 28 the biennial period ending June 30, 2001, the following:

29

30 ITEM	31 FISCAL YEARS	
	32 NO.	33
(01) MINING RECLAMATION CONTRACTUAL	1999-2000	2000-2001
SERVICES	\$ <u>1,520,000</u>	\$ <u>1,520,000</u>

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35 SECTION 15. APPROPRIATION - FEE ADMINISTRATION. There is hereby  
 36 appropriated, to the Arkansas Department of Environmental Quality, to be



1 payable from the Arkansas Department of Pollution Control and Ecology Fee  
 2 Fund, for personal services and operating expenses of the Arkansas Department  
 3 of Environmental Quality – Fee Administration for the biennial period ending  
 4 June 30, 2001, the following:

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6 ITEM		FISCAL YEARS	
7 NO.		1999-2000	2000-2001
8 (01)	REGULAR SALARIES	\$ 5,111,269	\$ 5,254,380
9 (02)	EXTRA HELP	10,000	10,000
10 (03)	PERSONAL SERV MATCHING	1,418,583	1,444,272
11 (04)	MAINT. & GEN. OPERATION		
12 (A)	OPER. EXPENSE	1,052,260	1,061,517
13 (B)	CONF. & TRAVEL	43,913	43,913
14 (C)	PROF. FEES	62,332	62,332
15 (D)	CAP. OUTLAY	384,500	335,215
16 (E)	DATA PROC.	<u>0</u>	<u>0</u>
17	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,082,857</u>	<u>\$ 8,211,629</u>

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19 SECTION 16. APPROPRIATION - SOLID WASTE PERFORMANCE BONDS PROGRAM. There is  
 20 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 21 be payable from the Solid Waste Performance Bond Fund, for contractual  
 22 services of the Arkansas Department of Environmental Quality - Solid Waste  
 23 Performance Bonds Program for the biennial period ending June 30, 2001, the  
 24 following:

25

26 ITEM		FISCAL YEARS	
27 NO.		1999-2000	2000-2001
28 (01)	SOLID WASTE BONDS PROGRAM - CONTRACTUAL		
29	SERVICES	\$ <u>500,000</u>	\$ <u>500,000</u>

30

31 SECTION 17. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby  
 32 appropriated, to the Arkansas Department of Environmental Quality, to be  
 33 payable from the Hazardous Substance Remedial Action Trust Fund, for personal  
 34 services and operating expenses of the Arkansas Department of Environmental  
 35 Quality – Hazardous Waste Cleanup program for the biennial period ending June  
 36 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 130,492	\$ 134,146
(02) PERSONAL SERV MATCHING	36,336	36,990
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	27,358	27,358
(B) CONF. & TRAVEL	4,700	4,700
(C) PROF. FEES	603,425	603,425
(D) CAP. OUTLAY	214,874	74,875
(E) DATA PROC.	0	0
(04) CONTRACTUAL SERVICES	6,500,000	6,500,000
(05) REFUNDS	100,000	100,000
(06) DATA PROCESSING PURCHASES	<u>469,537</u>	<u>415,937</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 8,086,722</u>	<u>\$ 7,897,431</u>

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SECTION 18. APPROPRIATION - EMERGENCY RESPONSE PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Emergency Response Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Emergency Response program for the biennial period ending June 30, 2001, the following:

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ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 88,530	\$ 91,009
(02) PERSONAL SERV MATCHING	22,347	22,793
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	3,822	3,822
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	2,400	2,400
(E) DATA PROC.	0	0
(04) CONTRACTUAL SERVICES	<u>374,655</u>	<u>374,655</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 491,754</u>	<u>\$ 494,679</u>

35

SECTION 19. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby

36

1 appropriated, to the Arkansas Department of Environmental Quality, to be  
 2 payable from the Asbestos Control Fund, for personal services and operating  
 3 expenses of the Arkansas Department of Environmental Quality – Asbestos  
 4 Control Program for the biennial period ending June 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 43,676	\$ 44,899
(02) PERSONAL SERV MATCHING	14,296	14,515
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	17,252	17,252
(B) CONF. & TRAVEL	2,325	2,325
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	4,000	4,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 81,549</u>	<u>\$ 82,991</u>

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 18 SECTION 20. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING PROGRAM.

19 There is hereby appropriated, to the Arkansas Department of Environmental  
 20 Quality, to be payable from the Solid Waste Management Recycling Fund, for  
 21 personal services and operating expenses of the Arkansas Department of  
 22 Environmental Quality – Solid Waste Management and Recycling Program for the  
 23 biennial period ending June 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 572,762	\$ 588,800
(02) PERSONAL SERV MATCHING	164,145	167,021
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	94,502	94,502
(B) CONF. & TRAVEL	7,668	7,668
(C) PROF. FEES	22,527	22,527
(D) CAP. OUTLAY	28,300	8,400
(E) DATA PROC.	0	0
(04) RECYCLING GRANTS	<u>4,650,000</u>	<u>4,650,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,539,904</u>	<u>\$ 5,538,918</u>

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2 SECTION 21. APPROPRIATION - REGULATED STORAGE TANK PROGRAM. There is hereby  
3 appropriated, to the Arkansas Department of Environmental Quality, to be  
4 payable from the Regulated Substance Storage Tank Program Fund, for personal  
5 services and operating expenses of the Arkansas Department of Environmental  
6 Quality - Regulated Substance Storage Tank Program for the biennial period  
7 ending June 30, 2001, the following:

8	9 ITEM	10 FISCAL YEARS	
11	12 NO.	13 1999-2000	14 2000-2001
15	(01) REGULAR SALARIES	\$ 657,195	\$ 675,597
16	(02) PERSONAL SERV MATCHING	185,755	189,062
17	(03) MAINT. & GEN. OPERATION		
18	(A) OPER. EXPENSE	66,028	66,028
19	(B) CONF. & TRAVEL	5,005	5,005
20	(C) PROF. FEES	0	0
21	(D) CAP. OUTLAY	30,000	33,364
22	(E) DATA PROC.	<u>0</u>	<u>0</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$ 943,983</u>	<u>\$ 969,056</u>

24 SECTION 22. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There is  
25 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
26 be payable from the Petroleum Storage Tank Trust Fund, for operating expenses  
27 of the Arkansas Department of Environmental Quality - Petroleum Storage Tank  
28 Program for the biennial period ending June 30, 2001, the following:

29	30 ITEM	31 FISCAL YEARS	
32	33 NO.	34 1999-2000	35 2000-2001
36	(01) REGULAR SALARIES	\$ 166,243	\$ 170,848
	(02) PERSONAL SERV MATCHING	41,870	42,683
	(03) MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSE	19,000,000	19,000,000
	(B) CONF. & TRAVEL	3,005	3,005
	(C) PROF. FEES	2,500,000	2,500,000
	(D) CAP. OUTLAY	3,700	3,700
	(E) DATA PROC.	<u>0</u>	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$ 21,714,818 \$ 21,720,236

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3 SECTION 23. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL. There  
 4 is hereby appropriated, to the Arkansas Department of Environmental Quality,  
 5 to be payable from the federal funds as designated by the Chief Fiscal Officer  
 6 of the State, for contractual services of the Arkansas Department of  
 7 Environmental Quality - Regulated Storage Tank Program - Federal for the  
 8 biennial period ending June 30, 2001, the following:

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10 ITEM	11 FISCAL YEARS	
	1999-2000	2000-2001
12 (01) STORAGE TANK CONTRACTUAL SERVICES	\$ <u>5,000,000</u>	\$ <u>5,000,000</u>

13

14 SECTION 24. APPROPRIATION - HAZARDOUS WASTE MANAGEMENT PROGRAM. There is  
 15 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 16 be payable from the Hazardous Waste Permit Fund, for personal services and  
 17 operating expenses of the Arkansas Department of Environmental Quality -  
 18 Hazardous Waste Management Program for the biennial period ending June 30,  
 19 2001, the following:

20

21 ITEM	22 FISCAL YEARS	
	1999-2000	2000-2001
23 (01) REGULAR SALARIES	\$ 157,990	\$ 162,414
24 (02) PERSONAL SERV MATCHING	44,500	45,292
25 (03) MAINT. & GEN. OPERATION		
26 (A) OPER. EXPENSE	8,178	8,178
27 (B) CONF. & TRAVEL	1,520	1,520
28 (C) PROF. FEES	0	0
29 (D) CAP. OUTLAY	0	0
30 (E) DATA PROC.	<u>0</u>	<u>0</u>
31 TOTAL AMOUNT APPROPRIATED	\$ <u>212,188</u>	\$ <u>217,404</u>

32

33 SECTION 25. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is hereby  
 34 appropriated, to the Arkansas Department of Environmental Quality, to be  
 35 payable from the Landfill Post-Closure Trust Fund, for personal services and  
 36 operating expenses of the Arkansas Department of Environmental Quality -

1 Landfill Post-Closure Program for the biennial period ending June 30, 2001,  
 2 the following:

3

4 ITEM		FISCAL YEARS	
5 NO.		1999-2000	2000-2001
6 (01)	REGULAR SALARIES	\$ 236,976	\$ 243,612
7 (02)	PERSONAL SERV MATCHING	65,135	66,325
8 (03)	MAINT. & GEN. OPERATION		
9 (A)	OPER. EXPENSE	77,043	77,043
10 (B)	CONF. & TRAVEL	7,000	7,000
11 (C)	PROF. FEES	20,000	20,000
12 (D)	CAP. OUTLAY	20,000	20,000
13 (E)	DATA PROC.	0	0
14 (04)	CONTRACTUAL SERVICES	9,000,000	9,000,000
15 (05)	ILLEGAL DUMP ERADICATION	<u>1,500,000</u>	<u>1,500,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 10,926,154</u>	<u>\$ 10,933,980</u>

17

18 SECTION 26. APPROPRIATION - WASTE TIRE RECYCLING PROGRAM. There is hereby  
 19 appropriated, to the Arkansas Department of Environmental Quality, to be  
 20 payable from the Waste Tire Grant Fund, for tire recycling grants of the  
 21 Arkansas Department of Environmental Quality for the biennial period ending  
 22 June 30, 2001, the following:

23

24 ITEM		FISCAL YEARS	
25 NO.		1999-2000	2000-2001
26 (01)	WASTE TIRE RECYCLING GRANTS	\$ <u>5,371,000</u>	\$ <u>5,371,000</u>

27

28 SECTION 27. APPROPRIATION - STATE MARKETING BOARD FOR RECYCLABLES PROGRAM.  
 29 There is hereby appropriated, to the Arkansas Department of Environmental  
 30 Quality, to be payable from the Marketing Board Fund, for operating expenses  
 31 of the Arkansas Department of Environmental Quality - State Marketing Board  
 32 for Recyclables Program for the biennial period ending June 30, 2001, the  
 33 following:

34

35 ITEM		FISCAL YEARS	
36 NO.		1999-2000	2000-2001

1	(01) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	19,846	19,846
3	(B) CONF. & TRAVEL	8,665	8,665
4	(C) PROF. FEES	35,125	35,125
5	(D) CAP. OUTLAY	0	0
6	(E) DATA PROC.	<u>0</u>	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 63,636</u>	<u>\$ 63,636</u>

8

9 SECTION 28. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is

10 hereby appropriated, to the Arkansas Department of Environmental Quality, to

11 be payable from the Environmental Education Fund, for personal services and

12 operating expenses of the Arkansas Department of Environmental Quality -

13 Environmental Education Program for the biennial period ending June 30, 2001,

14 the following:

16	ITEM	FISCAL YEARS	
17	<u>NO.</u>	<u>1999-2000</u>	<u>2000-2001</u>
18	(01) REGULAR SALARIES	\$ 45,413	\$ 46,685
19	(02) PERSONAL SERV MATCHING	11,379	11,608
20	(03) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	65,168	65,168
22	(B) CONF. & TRAVEL	3,000	3,000
23	(C) PROF. FEES	99,793	89,793
24	(D) CAP. OUTLAY	0	0
25	(E) DATA PROC.	<u>0</u>	<u>0</u>
26	TOTAL AMOUNT APPROPRIATED	<u>\$ 224,753</u>	<u>\$ 216,254</u>

27

28 SECTION 29. REGULAR SALARIES - ADMINISTRATIVE HEARING OFFICER. There is

29 hereby established for the Arkansas Department of Environmental Quality -

30 Administrative Hearing Officer for the 1999-2001 biennium, the following

31 maximum number of regular employees whose salaries shall be governed by the

32 provisions of the Uniform Classification and Compensation Act (Arkansas Code

33 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.

34 Provided, however, that any position to which a specific maximum annual salary

35 is set out herein in dollars, shall be exempt from the provisions of said

36 Uniform Classification and Compensation Act. All persons occupying positions

1 authorized herein are hereby governed by the provisions of the Regular  
 2 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
 3 successor.

Item	Class	Maximum	Maximum Annual
No.	Code	No. of	Salary Rate
		Employees	Fiscal Years
			1999-2000
			2000-2001
(1)	R007 POL C ADMIN HEARING OFFICER	1	GRADE 26
(2)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE 17
(3)	K117 MEDICAL OR LEGAL SECRETARY	<u>1</u>	GRADE 14
	MAX. NO. OF EMPLOYEES	3	

14 SECTION 30. APPROPRIATION - ADMINISTRATIVE HEARING OFFICER. There is hereby  
 15 appropriated, to the Arkansas Department of Environmental Quality, to be  
 16 payable from the Arkansas Department of Pollution Control and Ecology Fee  
 17 Fund, for personal services and operating expenses of the Arkansas Department  
 18 of Environmental Quality - Administrative Hearing Officer for the biennial  
 19 period ending June 30, 2001, the following:

ITEM	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 118,995	\$ 122,328
(02) EXTRA HELP	800	800
(03) PERSONAL SERVICES MATCHING	31,105	31,705
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	26,027	26,152
(B) CONF. & TRAVEL	3,047	3,147
(C) PROF. FEES	27,760	27,760
(D) CAP. OUTLAY	2,500	2,500
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 210,234</u>	<u>\$ 214,392</u>

34 SECTION 31. APPROPRIATION - COMMISSION EXPENSES. There is hereby  
 35 appropriated, to the Arkansas Department of Environmental Quality, to be  
 36 payable from the State General Services Fund Account, for use in the



1 educational and training expenses of the Pollution Control and Ecology  
 2 Commission for the biennial period ending June 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) COMMISSION EDUCATION & TRAINING EXPENSES	\$ <u>9,025</u>	\$ <u>9,025</u>

10 SECTION 32. APPROPRIATION - LEAD-BASED PAINT HAZARD PROGRAM. There is  
 11 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 12 be payable from the Lead-Based Paint Hazard Fund, for operating expenses of  
 13 the Lead-Based Paint Hazard Program of the Arkansas Department of  
 14 Environmental Quality for the biennial period ending June 30, 2001, the  
 15 following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	12,825	12,825
(B) CONF. & TRAVEL	1,425	1,425
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	4,000	4,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>18,250</u>	\$ <u>18,250</u>

27 SECTION 33. APPROPRIATION - SMALL BUSINESS REVOLVING LOAN FUND PROGRAM.  
 28 There is hereby appropriated, to the Arkansas Department of Environmental  
 29 Quality, to be payable from the Small Business Revolving Loan Fund, for  
 30 operating expenses of the Small Business Revolving Loan Fund Program of the  
 31 Arkansas Department of Environmental Quality for the biennial period ending  
 32 June 30, 2001, the following:

ITEM NO.	FISCAL YEARS	
	1999-2000	2000-2001
(01) REGULAR SALARIES	\$ 0	\$ 0

1	(02) PERSONAL SERV MATCHING	0	0
2	(03) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	9,010	9,010
4	(B) CONF. & TRAVEL	3,650	3,650
5	(C) PROF. FEES	0	0
6	(D) CAP. OUTLAY	2,400	2,400
7	(E) DATA PROC.	<u>0</u>	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 15,060</u>	<u>\$ 15,060</u>

9

10 SECTION 34. APPROPRIATION - SMALL BUSINESS REVOLVING LOAN FUND. There is  
 11 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 12 be payable from the Small Business Revolving Loan Fund, for providing loans to  
 13 small businesses for projects to meet regulatory mandates in pollution control  
 14 and prevention technologies of the Arkansas Department of Environmental  
 15 *Quality for the biennial period ending June 30, 2001, the sum of*  
 16 ..... \$2,000,000.

17

18 SECTION 35. APPROPRIATION - CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND -  
 19 STATE MATCH. There is hereby appropriated, to the Arkansas Department of  
 20 Environmental Quality, to be payable from the General Improvement Fund or its  
 21 successor fund or fund accounts, for providing state match portion for the  
 22 Federal Revolving Loan Fund Program of the Arkansas Department of  
 23 Environmental Quality for the biennial period ending June 30, 2001, the *sum*  
 24 *of*..... \$1,600,000.

25

26 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EQUIPMENT  
 28 PURCHASE RESTRICTIONS. Expenditures for the purchase of departmental  
 29 laboratory equipment, including maintenance contracts, and data processing  
 30 equipment and mission-critical software, including maintenance contracts, as  
 31 appropriated in Section 17, in Items (03)(D) and (06) shall be funded only  
 32 through interest earnings from the Hazardous Substance Remedial Action Trust  
 33 Fund. Further, the Department shall report biennially to the ~~Arkansas~~  
 34 Legislative Council all expenditures from interest earnings for these  
 35 purchases.

36

1 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
3 ESTABLISHMENT OF A "GROWTH POOL". (a) To address needs emerging from  
4 statewide environmental quality issues, the Arkansas Department of  
5 Environmental Quality shall establish and maintain for the 1999-2001 biennium  
6 a pool of forty-four (44) classified positions, payable from funds  
7 appropriated herein for such purposes. These positions are to be used by the  
8 Department of Environmental Quality in the event that the number and level of  
9 positions available to address the needs emerging from statewide environmental  
10 quality issues exceed the classified positions regularly authorized for the  
11 Department of Environmental Quality by the Legislature. The Department of  
12 Environmental Quality shall provide justification to the Department of Finance  
13 and Administration's Office of Personnel Management (OPM) for the need to  
14 allocate titles from this "growth pool". No classifications will be assigned  
15 to the pool until such time as specific positions are requested by the  
16 Department of Environmental Quality, recommended by OPM and approved by the  
17 Legislative Council. The Department of Environmental Quality may transfer  
18 positions and appropriations from this pool to any appropriation/pay schedule  
19 the agency currently maintains or any appropriation/pay schedule the agency  
20 receives during the 1999-2001 biennium. This action is subject to OPM  
21 recommendation and to approval by the Legislative Council. Further, the  
22 Department of Finance and Administration is authorized to provide  
23 appropriation from the "growth pool" not to exceed \$100,000 each year to  
24 support the above positions. This action is subject to approval by the Chief  
25 Fiscal Officer of the State and review by the Legislative Council.

26 (b) Determining the number of personnel to be employed by a state agency is  
27 the prerogative of the General Assembly and is usually accomplished by  
28 delineating the maximum number of personnel by identifying job titles and the  
29 maximum grade or salary attached to those titles. The General Assembly has  
30 determined that the Arkansas Department of Environmental Quality could be  
31 operated more efficiently if some flexibility is given to that agency. That  
32 flexibility is being accomplished by providing growth pools in subsection (a)  
33 of this section and since the General Assembly has granted the agency broad  
34 powers under the growth pool concept, it is both necessary and appropriate  
35 that the General Assembly maintain oversight of the utilization of the growth  
36 pool by requiring prior approval of the Legislative Council in the utilization

1 of the growth pool. Therefore, the requirement of approval by the Legislative  
 2 Council is not a severable part of this section. If the requirement of  
 3 approval by the Legislative Council is ruled unconstitutional by a court  
 4 jurisdiction, this entire section is void.

5  
 6 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 7 CODE NOR PUBLISHED AS SPECIAL, LOCAL AND TEMPORARY LAW. ADEQ GROWTH POOL  
 8 APPROPRIATION. There is hereby appropriated to the Department of  
 9 Environmental Quality for any program, to be payable from the Department of  
 10 Environmental Quality's paying accounts for any program, as designated by the  
 11 Chief Fiscal Officer of the State, for use in responding to emerging  
 12 environmental needs, the following:

13

ITEM	FISCAL YEARS	
NO.	1999-2000	2000-2001
(01) GROWTH POOL	\$1,504,500	\$1,540,000

14  
 15  
 16  
 17  
 18 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
 20 UTILIZATION OF LANDFILL POST CLOSURE FUND. Any appropriation, not to exceed  
 21 \$150,000 per year, made payable from the Landfill Post Closure Trust Fund for  
 22 payment of claims against the Department of Environmental Quality or any fund  
 23 transfers necessary for the purchase of departmental vehicles shall not be  
 24 considered as an administrative purpose as found in the restrictions of the  
 25 fund in Arkansas Code Annotated § 8-6-1002.

26  
 27 SECTION 40. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
 28 by this act shall be limited to the appropriation for such agency and funds  
 29 made available by law for the support of such appropriations; and the  
 30 restrictions of the State Purchasing Law, the General Accounting and Budgetary  
 31 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures  
 32 and Restrictions Act, or their successors, and other fiscal control laws of  
 33 this State, where applicable, and regulations promulgated by the Department of  
 34 Finance and Administration, as authorized by law, shall be strictly complied  
 35 with in disbursement of said funds.

36

1 SECTION 41. LEGISLATIVE INTENT. It is the intent of the General Assembly  
2 that any funds disbursed under the authority of the appropriations contained  
3 in this act shall be in compliance with the stated reasons for which this act  
4 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
5 and Legislative Recommendations contained in the budget manuals prepared by  
6 the Department of Finance and Administration, letters, or summarized oral  
7 testimony in the official minutes of the ~~Arkansas~~ Arkansas Legislative Council or Joint  
8 Budget Committee which relate to its passage and adoption.

9  
10 SECTION 42. CODE. All provisions of this Act of a general and permanent  
11 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
12 Code Revision Commission shall incorporate the same in the Code.

13  
14 SECTION 43. SEVERABILITY. If any provision of this act or the application  
15 thereof to any person or circumstance is held invalid, such invalidity shall  
16 not affect other provisions or applications of the act which can be given  
17 effect without the invalid provision or application, and to this end the  
18 provisions of this act are declared to be severable except as provided in  
19 Section 37 herein.

20  
21 SECTION 44. GENERAL REPEALER. All laws and parts of laws in conflict with  
22 this act are hereby repealed.

23  
24 SECTION 45. EMERGENCY CLAUSE. It is hereby found and determined by the  
25 Eighty-second General Assembly, that the Constitution of the State of Arkansas  
26 prohibits the appropriation of funds for more than a two (2) year period; that  
27 the effectiveness of this Act on July 1, 1999 is essential to the operation of  
28 the agency for which the appropriations in this Act are provided, and that in  
29 the event of an extension of the Regular Session, the delay in the effective  
30 date of this Act beyond July 1, 1999 could work irreparable harm upon the  
31 proper administration and provision of essential governmental programs.  
32 Therefore, an emergency is hereby declared to exist and this Act being  
33 necessary for the immediate preservation of the public peace, health and  
34 safety shall be in full force and effect from and after July 1, 1999.

35  
36 /s/ Joint Budget Committee APPROVED: 4/15/1999e