

**Hall of the House of Representatives**  
85th General Assembly - Regular Session, 2005  
**Amendment Form**

JBC 02/22/05 (5)

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**Subtitle of House Bill No. 1320**

"AN ACT FOR THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY  
APPROPRIATION FOR THE 2005-2007 BIENNIUM."

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**Amendment No. 1 to House Bill No. 1320.**

Amend House Bill No. 1320 as originally introduced:

Page 3, line 33, delete "EXTRA HELP" and substitute "EXTRA HELP - STATE OPERATIONS"

AND

Page 3, line 34, delete "Quality" and substitute "Quality - State Operations"

AND

Page 3, line 36, delete "seventy" and substitute "six"

AND

Page 4, line 1, delete "(70)" and substitute "(6)"

AND

Delete SECTION 14 of the bill in its entirety

AND

Delete SECTIONS 3, 4, 5 and 6 of the bill in their entirety and substitute the following new sections:

"SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Arkansas Department of Environmental Quality Fund Account, for personal services and operating expenses of the Arkansas Department of Environmental Quality - State Operations for the biennial period ending June 30, 2007, the following:

ITEM

FISCAL YEARS



NO.		2005-2006	2006-2007
(01)	REGULAR SALARIES	\$ 2,782,561	\$ 2,861,906
(02)	EXTRA HELP	25,674	25,674
(03)	PERSONAL SERVICES MATCHING	769,299	784,701
(04)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSE	277,678	268,269
	(B) CONF. & TRAVEL	14,715	14,715
	(C) PROF. FEES	4,100	4,100
	(D) CAP. OUTLAY	9,500	9,500
	(E) DATA PROC.	0	0
	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,883,527</u>	<u>\$ 3,968,865</u>

SECTION 4. EXTRA HELP - FEDERAL OPERATIONS. There is hereby authorized, for the Department of Environmental Quality - Federal Operations for the 2005-2007 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: thirty-seven (37) 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 5. APPROPRIATION - FEDERAL OPERATIONS. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Federal Operations for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS		
	2005-2006	2006-2007	
(01)	REGULAR SALARIES	\$ 4,583,713	\$ 4,718,862
(02)	EXTRA HELP	148,585	148,585
(03)	PERSONAL SERVICES MATCHING	1,346,496	1,372,813
(04)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSE	3,155,047	4,455,047
	(B) CONF. & TRAVEL	300,312	300,312
	(C) PROF. FEES	2,164,105	2,164,105
	(D) CAP. OUTLAY	513,133	2,013,133
	(E) DATA PROC.	0	0
(05)	CONTRACTUAL SERVICES	<u>3,830,000</u>	<u>2,565,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 16,041,391</u>	<u>\$ 17,737,857</u>

SECTION 6. APPROPRIATION - WASTE WATER LICENSING. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Wastewater Licensing Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Waste Water Licensing for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS		
	2005-2006	2006-2007	
(01)	REGULAR SALARIES	\$ 32,088	\$ 33,051

(02) PERSONAL SERVICES MATCHING	10,088	10,274
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	26,632	26,632
(B) CONF. & TRAVEL	5,089	5,089
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 73,897</u>	<u>\$ 75,046</u>

SECTION 7. 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 - Land Reclamation for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) RECLAMATION CONTRACTS	<u>\$ 950,000</u>	<u>\$ 950,000</u>

SECTION 8. 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, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 743,194	\$ 764,840
(02) EXTRA HELP	15,795	15,795
(03) PERSONAL SERVICES MATCHING	211,548	215,759
(04) OVERTIME	1,250	1,250
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	190,804	190,804
(B) CONF. & TRAVEL	44,700	44,700
(C) PROF. FEES	53,000	53,000
(D) CAP. OUTLAY	10,000	10,000
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 1,270,291</u>	<u>\$ 1,296,148</u>

SECTION 9. 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 Arkansas Department of Environmental Quality - Reclamation of Abandoned Mines for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) ABANDONED MINE RECLAMATION CONTRACTUAL SERVICES	<u>\$ 5,700,000</u>	<u>\$ 5,700,000</u>

SECTION 10. APPROPRIATION - SURFACE COAL MINING. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Surface Coal Mining Operation Fund, for operating expenses of the Arkansas Department of Environmental Quality - Surface Coal Mining for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(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.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,653</u>	<u>\$ 5,653</u>

SECTION 11. APPROPRIATION - MINING RECLAMATION. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Mine Reclamation Trust Fund, for contractual services of the Arkansas Department of Environmental Quality - Mining Reclamation for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MINING RECLAMATION CONTRACTUAL SERVICES	<u>\$ 1,520,000</u>	<u>\$ 1,520,000</u>

SECTION 12. EXTRA HELP - FEE ADMINISTRATION. There is hereby authorized, for the Department of Environmental Quality - Fee Administration for the 2005-2007 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-three (23) 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 13. APPROPRIATION - FEE ADMINISTRATION. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Arkansas Department of Environmental Quality Fee Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Fee Administration for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 6,370,766	\$ 6,559,455
(02) EXTRA HELP	45,000	45,000
(03) PERSONAL SERVICES MATCHING	1,881,598	1,918,339
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	2,066,629	2,076,038
(B) CONF. & TRAVEL	150,789	150,789
(C) PROF. FEES	1,863,221	1,828,221

(D) CAP. OUTLAY	109,850	109,850
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 12,487,853</u>	<u>\$ 12,687,692</u>

SECTION 14. APPROPRIATION - SOLID WASTE PERFORMANCE BONDS PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Solid Waste Performance Bond Fund, for contractual services of the Arkansas Department of Environmental Quality - Solid Waste Performance Bonds Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) SOLID WASTE PERFORMANCE BONDS CONTRACTUAL SERVICES	<u>\$ 500,000</u>	<u>\$ 500,000</u>

SECTION 15. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Hazardous Substance Remedial Action Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Hazardous Waste Cleanup for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 90,144	\$ 92,846
(02) PERSONAL SERVICES MATCHING	29,071	29,597
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	67,358	67,358
(B) CONF. & TRAVEL	33,960	33,960
(C) PROF. FEES	250,000	250,000
(D) CAP. OUTLAY	230,000	230,000
(E) DATA PROC.	0	0
(04) CONTRACTUAL SERVICES	6,502,000	6,502,000
(05) DATA PROCESSING PURCHASES	<u>453,937</u>	<u>453,937</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 7,656,470</u>	<u>\$ 7,659,698</u>

SECTION 16. 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, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 103,876	\$ 106,906
(02) PERSONAL SERVICES MATCHING	27,905	28,494
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	3,833	3,833
(B) CONF. & TRAVEL	2,000	2,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0

(E) DATA PROC.	0	0
(04) CONTRACTUAL SERVICES	<u>372,655</u>	<u>372,655</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 510,269</u>	<u>\$ 513,888</u>

SECTION 17. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Asbestos Control Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Asbestos Control Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 110,857	\$ 114,181
(02) PERSONAL SERVICES MATCHING	36,945	37,592
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	29,452	29,452
(B) CONF. & TRAVEL	4,090	4,090
(C) PROF. FEES	2,100	2,100
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 183,444</u>	<u>\$ 187,415</u>

SECTION 18. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Solid Waste Management Recycling Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Solid Waste Management and Recycling Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 737,503	\$ 759,491
(02) PERSONAL SERVICES MATCHING	220,392	224,674
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	120,529	120,529
(B) CONF. & TRAVEL	15,668	15,668
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	20,000	20,000
(E) DATA PROC.	0	0
(04) RECYCLING GRANTS	<u>4,650,000</u>	<u>4,650,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 5,764,092</u>	<u>\$ 5,790,362</u>

SECTION 19. APPROPRIATION - REGULATED SUBSTANCE STORAGE TANK PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Regulated Substance Storage Tank Program Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Regulated Substance Storage Tank Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 593,324	\$ 610,904

(02) PERSONAL SERVICES MATCHING	184,641	188,064
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	71,028	71,028
(B) CONF. & TRAVEL	5,005	5,005
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 853,998</u>	<u>\$ 875,001</u>

SECTION 20. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Petroleum Storage Tank Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Petroleum Storage Tank Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 155,728	\$ 160,275
(02) PERSONAL SERVICES MATCHING	41,841	42,725
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	18,997,000	18,997,000
(B) CONF. & TRAVEL	3,005	3,005
(C) PROF. FEES	2,500,156	2,500,156
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	<u>\$ 21,697,730</u>	<u>\$ 21,703,161</u>

SECTION 21. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for contractual services of the Arkansas Department of Environmental Quality - Regulated Storage Tank Program - Federal for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULATED STORAGE TANK CONTRACTUAL SERVICES	<u>\$ 3,925,000</u>	<u>\$ 3,925,000</u>

SECTION 22. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Landfill Post-Closure Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Landfill Post-Closure Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 266,417	\$ 274,394
(02) PERSONAL SERVICES MATCHING	78,752	80,302
(03) MAINT. & GEN. OPERATION		

(A) OPER. EXPENSE	30,923	30,923
(B) CONF. & TRAVEL	6,000	6,000
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) CONTRACTUAL SERVICES	<u>7,758,373</u>	<u>7,433,373</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 8,140,465</u>	<u>\$ 7,824,992</u>

SECTION 23. APPROPRIATION - WASTE TIRE RECYCLING PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Waste Tire Grant Fund, for waste tire recycling grants of the Arkansas Department of Environmental Quality - Waste Tire Recycling Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) WASTE TIRE RECYCLING GRANTS	<u>\$ 6,100,000</u>	<u>\$ 6,425,000</u>

SECTION 24. APPROPRIATION - STATE MARKETING BOARD FOR RECYCLABLES PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Marketing Board Fund, for operating expenses of the Arkansas Department of Environmental Quality - State Marketing Board for Recyclables Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 13,846	\$ 13,846
(B) CONF. & TRAVEL	6,415	6,415
(C) PROF. FEES	10,125	10,125
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 30,386</u>	<u>\$ 30,386</u>

SECTION 25. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Environmental Education Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Environmental Education Program for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) REGULAR SALARIES	\$ 38,179	\$ 39,324
(02) PERSONAL SERVICES MATCHING	11,274	11,496
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	151,961	151,961
(B) CONF. & TRAVEL	8,000	8,000
(C) PROF. FEES	94,000	94,000
(D) CAP. OUTLAY	8,000	8,000
(E) DATA PROC.	<u>0</u>	<u>0</u>



ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) PERFORMANCE INTEGRATED INFORMATION SYSTEM EXPENSES	\$ <u>500,000</u>	\$ <u>500,000</u>

SECTION 30. APPROPRIATION - ENVIRONMENTAL SETTLEMENT TRUST. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the ADEQ Environmental Settlement Trust Fund, for expenses as authorized through various settlement agreements benefiting the State of Arkansas as administered through the Arkansas Department of Environmental Quality for the biennial period ending June 30, 2007, the sum of .....\$1,500,000.

SECTION 31. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Computer and Electronic Recycling Fund, for grants and expenses of the Arkansas Department of Environmental Quality - Computer and Electronic Recycling for the biennial period ending June 30, 2007, the following:

ITEM NO.	FISCAL YEARS	
	2005-2006	2006-2007
(01) COMPUTER AND ELECTRONICS RECYCLING MANAGEMENT EXPENSES OR GRANTS	\$ <u>150,000</u>	\$ <u>150,000</u>

AND

Page 9, line 11, delete "COMMISSION" and substitute "COMMISSION – ADMINISTRATIVE HEARING OFFICER"

AND

Page 9, line 15, delete "Quality" and substitute "Quality – Administrative Hearing Officer"

AND

Page 9, line 31, delete "ADMINISTRATIVE HEARING OFFICER" and substitute "EXPENSES"

AND

Page 9, line 33, delete "expenses" and substitute "expenses of the Pollution Control and Ecology Commission"

AND

Page 10, line 7, delete "LAND PROGRAM HAZARDOUS" and substitute "HAZARDOUS"

AND

Page 10, line 22, delete "ENVIRONMENTAL MANAGEMENT PROGRAM - EQUIPMENT" and

substitute "EQUIPMENT"

AND

Page 10, line 26, delete "all of which are paid from the appropriation"

AND

Page 10, line 27, delete "for the ~~Land Environmental Management Program~~" and substitute "all of which are paid from the appropriation for the Land Program as appropriated in Section 15, in Items (03)(D) and (05)"

AND

Page 10, line 35, delete "LAND"

AND

Page 10, delete line 36 in its entirety and substitute "HAZARDOUS WASTE CLEANUP APPROPRIATION."

AND

Page 11, delete lines 1 through 6 in their entirety and substitute "Up to \$6,500,000 of the appropriation authorized for the Land Program and funded from the Hazardous Waste Remedial Action Trust Fund during the fiscal year ending June 30, 2004 may be carried forward and made available for Contractual Services in the Land Program and funded from the Hazardous Waste Remedial Action Trust Fund for the fiscal year ending June 30, 2005. Any unexpended balance in Section 15 hereof, of item (04) Contractual Services which remains at the close of the fiscal year ending June 30, 2006 shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 2007."

AND

Page 11, line 12, delete "ENVIRONMENTAL MANAGEMENT PROGRAM - PERFORMANCE" and substitute "PERFORMANCE"

AND

Page 11, line 13, delete "authorized in the" and substitute "authorized in ~~the~~"

AND

Page 11, delete lines 14 through 16 in their entirety and substitute "Environmental Management Program, used for Performance Integrated Information System Expenses, not to exceed \$2,100,000, and funded from the Performance Partnership Trust Fund Section 29 hereof, of item (01) PERFORMANCE INTEGRATED INFORMATION SYSTEM EXPENSES which remains at the close of the fiscal"

AND

Delete SECTION 15 of the bill in its entirety

AND

Page 12, line 16, delete "ENVIRONMENTAL MANAGEMENT PROGRAM - "

AND

Page 12, line 31, delete "AIR"

AND

Page 12, line 32, delete "PROGRAM - ADEQ" and substitute "ADEQ"

AND

Appropriately renumber the sections of the bill.

The Amendment was read \_\_\_\_\_  
By: Joint Budget Committee  
PDA/PDA - 03-15-2005 14:03  
PDA037

\_\_\_\_\_  
Chief Clerk