

State of Arkansas

76th General Assembly

Regular Session, 1987 AS ENGROSSED 2/21/87

HOUSE BILL 1496

By: Joint Budget Committee AS ENGROSSED 3/3/87

AS ENGROSSED 3/11/87

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
OPERATING EXPENSES OF THE DEPARTMENT OF POLLUTION CONTROL
AND ECOLOGY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1989;
AND FOR OTHER PURPOSES."

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Department of Pollution Control and Ecology for the 1987-89 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item	Class	No. of	Maximum Annual	
			Salary Rate	
Fiscal Years				
No. ____	Code ____	Title _____	Employees_1987-88	1988-89
(1)	9976	POL C DIRECTOR	1	\$47,410 \$47,410
(2)	199Z	POL C DEPUTY DIRECTOR	2	GRADE 26
(3)	586Z	POL CONTROL CHIEF ADMIN DIVISION	1	GRADE 24
(4)	B123	POL C CH SURFACE MINING & RECLAM	1	GRADE 23
	R039	POL C ATTORNEY SUPERVISOR	1	
	580Z	POL C BRANCH MANAGER	3	
	585Z	POL C CHIEF AIR POLLUTION	1	
	589Z	POL C CHIEF SOLID & HAZARDOUS WASTE	1	

	592Z POL C CHIEF WATER POLLUTION	1	
	602Z POL C CONSTRUCTION GRANTS MANAGER	1	
(5)	A032 AGENCY FISCAL MANAGER	1	GRADE 22
	D046 SYSTEMS APPLICATIONS SUPERVISOR	1	
	R036 ATTORNEY	4	
	X420 INSPECTION ENGINEER SUPV	11	
	X424 LICENSED ENGINEER	1	
	583Z POL C ASST CHIEF WATER POLLUTION	1	
	588Z POL C CHIEF ENGINEER - AIR	1	
	909Z PROGRAM SUPPORT MANAGER	2	
	922Z POL C PERMIT SUPERVISOR	1	
(6)	B012 CHEMIST SUPERVISOR	2	GRADE 21
	B032 GEOLOGIST III	2	
	B126 WATER USE & RESOURCE SPECIALIST	1	
	D042 SYSTEMS ANALYST II	1	
	R376 POL C ENFORCEMENT ADMINISTRATOR	2	
	R488 GRANTS ADMIN SUPV	1	
	X430 INSPECTION ENGINEER II	30	
	581Z POL C FIELD SERVICES SUPERVISOR	1	
	587Z POL C CHIEF ECOLOGIST	1	
	919Z POL C WATER QUALITY PLNG MANAGER	1	
(7)	D010 DATA BASE ANALYST	1	GRADE 20
	D036 SR PROGRAMMER/ANALYST	1	
	R460 POL C PLANNING SECTION MGR	1	
	R462 POL C PROGRAM COORD SECTION MGR	6	
(8)	B010 CHEMIST II	8	GRADE 19
	B030 GEOLOGIST II	6	
	B080 POL C ECOLOGIST II	4	
	Q120 POL C INSPECTOR SUPV	3	
	R266 MANAGEMENT PROJECT ANALYST II	2	
	R276 POL C AIR COMPLIANCE MONITOR	1	
	R280 POL C PROGRAM COORDINATOR	6	
(9)	B084 RECLAMATION GEOLOGIST	1	GRADE 18
	Q061 POL C INSPECTOR II	17	
	Q108 POL C HAZARDOUS WASTE INSPECTOR	10	
	R136 PLANNING SPECIALIST III	6	

	R264 MANAGEMENT PROJECT ANALYST I	1	
(10)	B062 METEOROLOGIST	1	GRADE 17
	N328 INFORMATION OFFICER II	2	
(11)	B008 CHEMIST I	3	GRADE 16
	D001 APPLICATIONS PROGRAMMER/APPL PGMR I	3	
	R010 ADMINISTRATIVE ASSISTANT II	12	
	R166 SUB-GRANT ADMINISTRATOR II	3	
	X333 ENGINEER TECHNICIAN	1	
(12)	A002 ACCOUNTANT I	1	GRADE 15
	N311 COMMERCIAL ARTIST I/GRAPHIC ART I	1	
(13)	R009 ADMINISTRATIVE ASSISTANT I	7	GRADE 14
	R132 PLANNING SPECIALIST I	1	
(14)	C015 TELECOMMUNICATIONS OPERATOR	1	GRADE 13
	K133 MANAGEMENT SUPPORT TECHNICIAN	3	
	V051 STOREROOM SUPV/STORE SUPV	1	
(15)	B083 POL C TECHNICIAN	3	GRADE 12
	K039 DOCUMENT EXAMINER II	1	
(16)	K153 SECRETARY II	18	GRADE 11
(17)	K155 SECRETARY I	5	GRADE 09
	MAX NO. OF EMPLOYEES	219	

SECTION 2. EXTRA HELP - STATE. There is hereby authorized, for the Department of Pollution Control and Ecology - State for the 1987-89 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: five (5) 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.

SECTION 3. EXTRA HELP - FEDERAL. There is hereby authorized, for the Department of Pollution Control and Ecology - Federal for the 1987-89 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: forty-two (42) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification.

SECTION 4. EXTRA HELP - WASTE WATER LICENSE. There is hereby authorized, for the Department of Pollution Control and Ecology - Waste Water License for the 1987-89 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: one (1) 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.

SECTION 5. APPROPRIATIONS - STATE. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Department of Pollution Control and Ecology Fund Account, for personal services and operating expenses of the Department of Pollution Control and Ecology - State for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 1,581,351	\$ 1,581,351
(02) EXTRA HELP	4,465	4,465
(03) PERSONAL SERV MATCHING	378,493	378,493
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 229,994	\$ 254,994
(B) CONF. & TRAVEL	595	595
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	12,000	12,000
(E) DATA PROCESSING	0_	0_
TOTAL MAINT. & GEN. OPER.	242,589	267,589
TOTAL AMOUNT APPROPRIATED	\$ 2,206,898	\$ 2,231,898

SECTION 6. APPROPRIATIONS - FEDERAL. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Pollution Control and Ecology Federal Fund, for personal services and operating expenses of the Department of Pollution Control and Ecology - Federal for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS
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NO.		1987-88	1988-89
(01)	REGULAR SALARIES	\$ 2,386,462	\$ 2,387,293
(02)	EXTRA HELP	25,050	25,050
(03)	PERSONAL SERV MATCHING	589,517	589,343
(04)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSES	\$ 830,595	\$ 824,081
	(B) CONF. & TRAVEL	21,621	21,692
	(C) PROF. FEES	349,153	175,353
	(D) CAPITAL OUTLAY	140,965	127,340
	(E) DATA PROCESSING	0	0
	TOTAL MAINT. & GEN. OPER.	1,342,334	1,148,466
(05)	DATA PROCESSING RENTAL	31,375	31,375
	TOTAL AMOUNT APPROPRIATED	\$ 4,374,738	\$ 4,181,527

SECTION 7. APPROPRIATIONS - WASTE WATER LICENSE. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from cash funds of the Department of Pollution Control and Ecology, for personal services and operating expenses of the Department of Pollution Control and Ecology - Waste Water License for the biennial period ending June 30, 1989, the following:

ITEM		FISCAL YEARS	
NO.		1987-88	1988-89
(01)	EXTRA HELP	\$ 10,712	\$ 10,980
(02)	PERSONAL SERV MATCHING	3,124	3,120
(03)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSES	\$ 7,103	\$ 7,103
	(B) CONF. & TRAVEL	239	239
	(C) PROF. FEES	2,532	2,532
	(D) CAPITAL OUTLAY	9,248	3,332
	(E) DATA PROCESSING	0	0
	TOTAL MAINT. & GEN. OPER.	19,122	13,206
	TOTAL AMOUNT APPROPRIATED	\$ 32,958	\$ 27,306

SECTION 8. APPROPRIATIONS - LAND RECLAMATION PROJECTS. There is hereby

appropriated, to the Department of Pollution Control and Ecology, to be payable from the Land Reclamation Fund, for reclamation projects of the Department of Pollution Control and Ecology - Reclamation Projects for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) RECLAMATION CONTRACTS	\$ 150,000	\$ 150,000

SECTION 9. APPROPRIATIONS - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Hazardous Waste Permit Fund, for personal services and operating expenses of the Department of Pollution Control and Ecology - Hazardous Waste Permit Program for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 201,058	\$ 202,232
(02) EXTRA HELP	39,314	41,477
(03) PERSONAL SERV MATCHING	61,944	62,856
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 33,250	\$ 34,428
(B) CONF. & TRAVEL	2,711	2,240
(C) PROF. FEES	71,267	71,267
(D) CAPITAL OUTLAY	1,425	425
(E) DATA PROCESSING	0_	0_
TOTAL MAINT. & GEN. OPER.	108,653	108,360
TOTAL AMOUNT APPROPRIATED	\$ 410,969	\$ 414,925

SECTION 10. APPROPRIATIONS - RECLAMATION OF ABANDONED MINES. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Abandoned Mine Reclamation Fund, for contractual services of the Department of Pollution Control and Ecology - Reclamation of Abandoned Mines for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS
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NO.	_____	1987-88	_____	1988-89
(01)	CONTRACTUAL SERVICES	\$	1,000,000	\$ 1,000,000

SECTION 11. APPROPRIATIONS - SURFACE COAL MINING. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Surface Coal Mining Operation Fund, for personal services and operating expenses of the Department of Pollution Control and Ecology - Surface Coal Mining for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO.	_____	_____
(01)	REGULAR SALARIES	\$ 26,468 \$ 26,468
(02)	PERSONAL SERV MATCHING	6,307 6,307
(03)	MAINT. & GEN. OPERATION	
(A)	OPER. EXPENSES \$ 20,636 \$ 20,675	
(B)	CONF. & TRAVEL 1,296 1,311	
(C)	PROF. FEES 11,394 11,394	
(D)	CAPITAL OUTLAY 2,000 2,000	
(E)	DATA PROCESSING _____0_ _____0_	
	TOTAL MAINT. & GEN. OPER.	_____35,326 _____35,380
	TOTAL AMOUNT APPROPRIATED	\$ 68,101 \$ 68,155

SECTION 12. APPROPRIATIONS - MINING RECLAMATION. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Mining Reclamation Fund, for contractual services of the Department of Pollution Control and Ecology - Mining Reclamation for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO.	_____	_____
(01)	CONTRACTUAL SERVICES	\$ 1,000,000 \$ 1,000,000

SECTION 13. APPROPRIATIONS - FEE ADMINISTRATION. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be

payable from the Arkansas Department of Pollution Control and Ecology Fee Fund, for personal services and operating expenses of the Department of Pollution Control and Ecology - Fee Administration for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 520,676	\$ 520,676
(02) PERSONAL SERV MATCHING	129,909	129,909
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 61,315	\$ 61,544
(B) CONF. & TRAVEL	14,556	14,633
(C) PROF. FEES	0	0
(D) CAPITAL OUTLAY	5,000	1,000
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	80,871	77,177
(04) DATA PROCESSING RENTAL	12,000	14,000
TOTAL AMOUNT APPROPRIATED	\$ 743,456	\$ 741,762

SECTION 14. APPROPRIATIONS - SOLID WASTE PERFORMANCE BONDS PROGRAM.

There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Solid Waste Performance Bond Fund, for contractual services of the Department of Pollution Control and Ecology - Solid Waste Performance Bonds Program for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) CONTRACTUAL SERVICES	\$ 500,000	\$ 500,000

SECTION 15. APPROPRIATIONS - HAZARDOUS WASTE CLEAN UP. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Hazardous Substance Remedial Action Trust Fund, for personal services and contractual services of the Department of Pollution Control and Ecology - Hazardous Waste Clean Up for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 26,416	\$ 27,208
(02) PERSONAL SERV MATCHING	6,296	6,135
(03) CONTRACTUAL SERVICES	2,000,000	2,000,000
TOTAL AMOUNT APPROPRIATED	\$ 2,032,712	\$ 2,033,343

SECTION 16. APPROPRIATIONS - EMERGENCY RESPONSE PROGRAM. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Emergency Response Fund, for personal services and operating expenses of the Department of Pollution Control and Ecology - Emergency Response Program for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 17,836	\$ 17,836
(02) PERSONAL SERV MATCHING	4,563	4,563
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 15,000	\$ 15,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	280,000	280,000
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	295,000	295,000
TOTAL AMOUNT APPROPRIATED	\$ 317,399	\$ 317,399

SECTION 17. APPROPRIATIONS - ASBESTOS CONTROL PROGRAM. There is hereby appropriated, to the Department of Pollution Control and Ecology, to be payable from the Asbestos Control Fund, for operating expenses of the Department of Pollution Control and Ecology - Asbestos Control Program for the biennial period ending June 30, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 25,965	\$ 26,805

(B) CONF. & TRAVEL	2,260	2,325	
(C) PROF. FEES	0	0	
(D) CAPITAL OUTLAY	12,010	6,850	
(E) DATA PROCESSING	0	0	
TOTAL MAINT. & GEN. OPER.		40,235	35,980
TOTAL AMOUNT APPROPRIATED		\$ 40,235	\$ 35,980

SECTION 18. EXTRA HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby authorized, for the Department of Pollution Control and Ecology - Hazardous Waste Permit Program for the 1987-89 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: two (2) 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.

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

SECTION 20. LEGISLATIVE INTENT. It is the intent of the General Assembly that any funds disbursed under the authority of the appropriations contained in this Act shall be in compliance with the stated reasons for which this Act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 21. CONTRACT RESTRICTIONS. The agency, board, commission,

department or institution to whom funds are appropriated by this Act shall not enter into any contract for any professional or consultant services which shall extend for more than twenty (20) actual working days or the total compensation exceeds five thousand dollars (\$5,000) during any one fiscal year without first seeking the advice of the Arkansas Legislative Council. Provided further, that all contracts for professional or consultant services shall be submitted monthly to the Chief Fiscal Officer of the State for reporting to the Legislative Council.

SECTION 22. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Sixth General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1987 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the Regular Session, the delay in the effective date of this Act beyond July 1, 1987 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 1987.

/s/John E. Miller

